

Tab 1	CS/SB 202 by AED, Simon (CO-INTRODUCERS) Perry, Collins; (Compare to CS/CS/CS/CS/H 00001) K-12 Education					
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Tab 2	CS/SB 242 by GO, Garcia; (Similar to CS/H 00955) Fiscal Accountability				
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS
Senator Broxson, Chair
Senator Rouson, Vice Chair

MEETING DATE: Thursday, March 16, 2023
TIME: 8:30—11:30 a.m.
PLACE: *Toni Jennings Committee Room, 110 Senate Building*

MEMBERS: Senator Broxson, Chair; Senator Rouson, Vice Chair; Senators Avila, Baxley, Book, Bradley, Brodeur, Burgess, Davis, Grall, Gruters, Harrell, Hooper, Ingoglia, Martin, Perry, Pizzo, Polsky, and Powell

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 202 Appropriations Committee on Education / Simon (Compare CS/CS/CS/CS/H 1, H 457)	K-12 Education; Revising student eligibility and ineligibility requirements for the Family Empowerment Scholarship Program; revising obligations of eligible nonprofit scholarship-funding organizations; revising student eligibility and ineligibility requirements for the Florida Tax Credit Scholarship Program; authorizing public schools, including charter schools, to enroll certain students on a part-time basis; requiring the State Board of Education to provide recommendations by a specified date to the Governor and the Legislature for repeals and revisions of the Florida Early Learning-20 Education Code to be considered in the 2024 legislative session; authorizing vehicles other than buses to transport students; authorizing district school boards to use advanced degrees in setting salary schedules for instructional personnel or school administrators, etc. ED 02/21/2023 Favorable AED 03/08/2023 Fav/CS AP 03/16/2023 Fav/CS	Fav/CS Yeas 12 Nays 6
2	CS/SB 242 Governmental Oversight and Accountability / Garcia (Similar CS/H 955)	Fiscal Accountability; Requiring state entities to post any documents submitted on the contract tracking system which indicate the use of state funds as remuneration under certain contracts, beginning on a specified date; deleting a provision requiring state entities to publish payments on the contract tracking system; requiring that contracts for services executed, amended, or extended beginning on a specified date require contractors to provide specified documentation to be included in the contract tracking system and posted to the contractor's website, if applicable, etc. GO 03/07/2023 Fav/CS AP 03/16/2023 Favorable	Favorable Yeas 18 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 202

INTRODUCER: Appropriations Committee; Appropriations Committee on Education Committee; and Senator Simon and others

SUBJECT: K-12 Education

DATE: March 20, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sagues, Jahnke</u>	<u>Bouck</u>	<u>ED</u>	<u>Favorable</u>
2.	<u>Gray</u>	<u>Elwell</u>	<u>AED</u>	<u>Fav/CS</u>
3.	<u>Gray</u>	<u>Sadberry</u>	<u>AP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 202 establishes and modifies K-12 education programs to provide additional financial supports for families and flexibility for school districts. The bill expands educational choice and opportunity for Florida families, supports public schools by reducing state regulations, and benefits teachers by removing barriers to certification.

The bill expands and supports school choice by:

- Increasing the number of students served under the Family Empowerment Scholarship for students with disabilities (FES-UA) by increasing annual scholarship growth rates from 1 percent to 3 percent of Florida’s exceptional education students.
- Expanding eligibility for the Florida Tax Credit Scholarship Program (FTC) and Family Empowerment Scholarship Program for education options (FES-EO) to any student that is a resident of Florida and is eligible to enroll in kindergarten through grade 12 in a public school, and removing enrollment caps for the FES-EO. The bill establishes the personalized education program as a parent directed educational choice option and authorizes the student to participate in FTC. The bill retains the priority for FTC and FES-EO scholarships for those students whose household income does not exceed 185 percent of the federal poverty level (FPL) and creates a second priority for households with income not exceeding 400 percent of the FPL.
- Expanding the scope of authorized uses for the FTC and FES-EO scholarships to include specified purchases through an education savings account.

- Authorizing excess funds from the FTC to fund FES-UA scholarships.
- Authorizing a limited number of students enrolled in a personalized education program to participate in the FTC and FES-EO scholarships.
- Requiring scholarship funding organizations to develop purchasing guidelines for authorized uses of scholarship funds and publish them to their websites.

The bill requires the State Board of Education (SBE) to, by November 1, 2023, recommend reductions to the Florida Early Learning-20 education code, considering stakeholder input. The bill provides immediate reductions to regulations by:

- Providing flexibility for school districts by exempting from the required cost per student station any construction started prior to July 1, 2026.
- Removing the requirement for at least one course within the 24 credits required for a standard diploma to be completed through online learning.
- Adding flexibility for student transportation by allowing vehicles other than school buses to regularly transport students.
- Revising the requirements of the acceptable means of demonstrating mastery of general knowledge and professional preparation and education competence to include documentation of two years of effective or highly effective teaching in a Florida public school while teaching under a temporary certificate.
- Increasing the length of a nonrenewable temporary teaching certificate from 3 to 5 years.
- Expressly authorizing any public school, including charter schools, to permit a student to enroll part-time, and provides for proportional funding based on time of attendance.
- Authorizes the Commissioner of Education to deny an owner, officer or director to participate in the state school scholarship program if the individual has operated an educational institution that closed during the school year.
- Extends the timeline to transfer a student record from three to five school days.
- Authorizes the district school tax to be used for payment of salaries and benefits for employees whose job duties support related activities.

The bill will have a negative impact on state expenditures. In addition to maximizing the capacity of estimated tax credits and assuming the use of a carryforward or reserve balance available under the Florida Tax Credit Scholarship (FTC) the bill will require an additional \$217.2 million state appropriation for Fiscal Year 2023-2024. The impact on state expenditures will increase or decrease depending on the average awards for the scholarships and if more or less students participate than forecasted.

In Fiscal Year 2024-2025, the impact on state expenditures is expected to grow as additional home school students may participate in the program due to increases in the caps in the bill.

The bill has an effective date of July 1, 2023.

II. Present Situation:

The Present Situation is presented under Section III, Effect of Proposed Changes.

III. Effect of Proposed Changes:

Education Choice Scholarships in Florida

Present Situation

Florida offers scholarship programs that allow parents of eligible students to register and attend private schools that may better serve a student's particular needs or to provide educational options for students with disabilities. These programs primarily consist of the Florida Tax Credit Scholarship (FTC),¹ the Family Empowerment Scholarship for students attending private school (FES-EO), the Family Empowerment Scholarship for students with disabilities (FES-UA),² and the Hope Scholarship Program (Hope).³

Private schools must meet specific criteria in order to be eligible to participate in Florida's scholarship programs and the Florida Department of Education (DOE) and Commissioner of Education (commissioner) are tasked with implementation and oversight responsibilities. DOE oversight responsibilities include verification of private school eligibility and compliance, parent information and complaints, coordination of health and safety inspections, provision of statewide assessments, and initial site visits.⁴

Currently, 71 percent of the kindergarten through grade 12 eligible student population qualifies for an FTC or FES-EO scholarship.⁵

Scholarship Funding Organizations

Florida's scholarship programs are administered by DOE-approved non-profit scholarship-funding organizations (SFO).⁶ A SFO must be a state university; or an independent college or university that is eligible to participate in the William L. Boyd, IV, Effective Access to Student Education Grant Program, located and chartered in this state, is not for profit, and is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; or is a Florida based charitable organization that complies with scholarship program requirements.⁷ There are currently two SFOs approved to administer the FES-EO, the FES-UA, the FTC, the HOPE, and the Reading Scholarship Programs. Specifically, the A.A.A. Scholarship Foundation administers FTC, FES-EO, and FES-UA scholarships, while Step Up for Students administers FTC, FES-EO, FES-UA, HOPE, and Reading Scholarship Program scholarships.⁸

¹ Section 1002.395, F.S.; *see also* rule 6A-6.0960, F.A.C.

² Section 1002.394, F.S.; *see also* rule 6A-6.0952, F.A.C.

³ Section 1002.40, F.S.; *see also* rule 6A-6.0951, F.A.C.

⁴ Section 1002.421, F.S.

⁵ Florida House of Representatives, *Presentation to the PreK-12 Appropriations Committee, Overview on Florida's K-12 Choice Scholarship Programs* (Feb. 7, 2023), available at <https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3209&Session=2023&DocumentType=Meeting+Packets&FileName=pka+2-7-23.pdf>.

⁶ DOE, *Scholarship Funding Organizations*, <https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/sfo/> (last visited Feb. 15, 2023).

⁷ Section 1002.395, F.S.

⁸ DOE, *Scholarship Funding Organizations*, <https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/sfo/> (last visited Feb. 15, 2023).

Florida Tax Credit Scholarship Program

The FTC was created in 2001 and enables taxpayers to make private, voluntary contributions to a SFO, to expand educational opportunities for families that have limited financial resources. The FTC is funded with contributions to SFOs from taxpayers who receive a tax credit for use against their liability for specified taxes. The tax credit is equal to 100 percent of the eligible contributions made. SFOs use these contributions to award scholarships to eligible low-income students for the cost of tuition and fees at an eligible private school or transportation expenses to a Florida public school in which a student is enrolled and that is different from the school to which the student was assigned.

FTC Scholarship Eligibility

The FTC provides scholarships to students, with priority given to children from low-income families and those who are in foster care or out-of-home care. Contingent upon available funds, a student is initially eligible for an FTC scholarship if he or she is:

- On the direct certification list⁹ or the student's household income level does not exceed an adjusted maximum percent of the federal poverty level (FPL), which is set at 400 percent of the FPL, or \$111,000¹⁰ for a family of four, for the 2022-2023 school year.¹¹
- Currently placed, or during the previous state fiscal year was placed, in foster care or in out-of-home care.
- A sibling of a student participating in the FTC scholarship and the siblings reside in the same household.

Scholarship Term

Once a student qualifies for an FTC scholarship based on household income during his or her initial eligibility year, the student continues to be eligible until he or she graduates from high school or turns 21 years old, whichever occurs first, regardless of household income level in subsequent years.¹² A scholarship recipient is not required to reapply annually, however, an SFO may require a recipient to annually confirm continued participation in the program.¹³

FTC Scholarship Prohibitions

A student is not eligible for a scholarship under the FTC if the student is:

⁹ See s. 1002.395, F.S.

¹⁰ United States Department of Health & Human Services, *U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Federal Programs*, Chart showing multiples of the poverty guidelines for 2022, available at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>.

¹¹ Section 1002.395(3)(b)1., F.S. The FPL may be increased by 25 percentage points in the fiscal year following a fiscal year in which more than 5 percent of the allowable scholarships have not been funded. The eligibility for the 2021-2022 school year was set at 375 percent of the FPL. See also Step Up for Students, *Florida Tax Credit Scholarship Parent Handbook* (July 2022), at 3, available at <https://www.stepupforstudents.org/wp-content/uploads/2022-2023-FTC-Parent-Handbook-Final-Draft.pdf>.

¹² Section 1002.395, F.S.

¹³ See Step Up for Students, *2022-2023 Florida Tax Credit Scholarship Parent Handbook* (July 2022), at 4-5, available at <https://www.stepupforstudents.org/wp-content/uploads/2022-2023-FTC-Parent-Handbook-Final-Draft.pdf>; AAA Scholarship Foundation, *2021-2022 Parent and School Handbook-Florida Income-Based Scholarship Program*, at 5, available at https://www.aaascholarships.org/wp-content/uploads/2022/06/Parent-and-School-Handbook_FL_2021-22_v3_rev20220616.pdf.

- Enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice commitment programs;
- Receiving a scholarship from another eligible SFO under this section;
- Receiving an educational scholarship pursuant to this chapter;
- Participating in a home education program;
- Participating in a private tutoring program;
- Participating in a virtual or correspondence school or distance learning program that receives state funding for the student's participation unless the participation is limited to no more than two courses per school year; or
- Enrolled in the Florida School for the Deaf and the Blind.

Authorized Use of FTC Funds

An FTC scholarship may be used to cover the tuition and fees for a student to attend an eligible private school, or receive a transportation scholarship to another public school.

FTC Scholarship Award Amount

Effective with the 2021-2022 school year, the Legislature increased the FTC scholarship amount to be the full amount provided for the student, from the previous 95 percent calculated amount.¹⁴ The maximum scholarship award amount for the 2021-2022 school year was \$7,408 per student.¹⁵

In lieu of a scholarship for enrollment in a private school, an eligible¹⁶ student may receive a scholarship for transportation to a public school other than the public school to which the student was assigned. The transportation scholarship award must be an amount equal to the school district expenditure per student riding a school bus, as determined by the DOE, or \$750, whichever is greater.

Responsibilities of FTC Scholarship Recipients

Parents and students must meet specified requirements for participation, which include enrolling in a private school, taking a norm-referenced assessment, authorizing payment to the private school, complying with income verifications, and satisfying attendance requirements.

With a few exceptions, Florida law requires all children who will be six years of age on February 1 of each school year and are less than 16 years of age to attend school regularly. Children who will be five years of age by September 1 of each school year are eligible for public kindergarten.¹⁷

State law directs district school boards to establish attendance policies defining excused or unexcused absences or tardiness. Specific criteria for determining whether an absence or

¹⁴ Section 1002.395, F.S. (2021); *See also* section 5, ch. 2021-27, L.O.F.

¹⁵ DOE, *FTC Scholarship Program: Fact Sheet* (Oct. 2022), available at <https://www.fldoe.org/core/fileparse.php/5606/urlt/FTC-Oct-2022-line.pdf>.

¹⁶ The student must be on the direct certification list, the student's house income level does not exceed 185 percent of the FPL, or the student is placed in foster care or in out-of-home care.

¹⁷ Section 1003.21(1)(a), F.S.

tardiness is excused or unexcused are determined by the district school board.¹⁸ The parent of a student who is absent from school must justify the absence, and the absence is evaluated based on the school board's attendance policies.¹⁹

Regular attendance, as required by law, can be satisfied by attendance in a:

- Public school supported by public funds;
- Parochial, religious, or denominational school;
- Private school supported in a whole or in part by tuition charges by endowment or gifts;
- Home education program; or
- Private tutoring program.²⁰

Dispersal of FTC Scholarship Award

The SFO sends scholarship payment checks quarterly to each student's school of enrollment, after the school completes the attendance verification. A payment made by warrant and delivered by the SFO to the private school must be restrictively endorsed by the parent.

An SFO may also make scholarship payments directly to eligible private schools by funds transfer (including debit cards, electronic payment cards, or any other means the DOE deems commercially viable or cost-effective). Payments must be approved by the parent before the funds are deposited.²¹

Family Empowerment Scholarship Program

The FES-EO and FES-UA provide children of families in Florida with educational options, including children of families with limited financial resources, children of law enforcement and military families, and children with disabilities.²² The scholarship program includes two types of scholarships to assist eligible students to pay for the tuition and fees associated with attendance at a private school or transportation to another public school (FES-EO), and to provide access to additional educational options for a student with a disability by covering the cost of a variety of approved items, including: contracted services, curriculum, instructional materials, tutoring, specified education programs, and specialized services (FES-UA). Each scholarship has specific student eligibility requirements, program requirements, award calculation methodologies, and allowable expenditures.²³

FES-EO Eligibility

A student is eligible for a scholarship to attend private school if the student meets the following criteria:

¹⁸ Section 1003.24, F.S.

¹⁹ Section 1003.26, F.S.

²⁰ Section 1003.01(13), F.S.

²¹ Section 1002.395, F.S.

²² Section 1002.394, F.S. *see also* Rule 6A-6.0952, F.A.C.

²³ Section 1002.394, F.S.

- The student is on the direct certification list²⁴ or the student's household income level does not exceed 185 percent of the federal poverty level (FPL)²⁵ for the 2022-2023 school year;
- The student is currently placed, or during the previous state fiscal year was placed, in foster care or in out-of-home care;
- The student's household income level does not exceed an adjusted maximum percent of the FPL, which is set at 400 percent of the FPL for the 2022-2023 school year;²⁶
- The student is a sibling of a student who is participating in the FES-EO and the siblings reside in the same household;
- The student is a dependent child of a member of the United States Armed Forces, including a reservist;²⁷ or the student is a dependent child of a law enforcement officer, which are additional options from the FTC.

Similar to the FTC, scholarship priority is given to students whose household income levels do not exceed 185 percent of the FPL or who are in foster care or out-of-home care.

FES Scholarship Prohibitions

A student is not eligible for a scholarship under the FES-EO or FES-UA if the student is:

- Enrolled in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, a developmental research school, or a charter school;
- Enrolled in a Department of Juvenile Justice commitment program;
- Receiving any other state-sponsored K-12 educational scholarship;
- Not having regular and direct contact with his or her private school teacher, unless the student has an eligible disability and is awarded a scholarship under the FES-UA and is enrolled in the private school's transition-to-work program or a home education program;
- Participating in a private tutoring program, unless the student has an eligible disability and is awarded a scholarship under the FES-UA; or
- Participating in a virtual instruction program.²⁸

FES-EO Scholarship Term

FES-EO eligibility continues for a student receiving a scholarship to attend private school until the student returns to a public school, graduates from high school, or turns 21 years old, whichever occurs first, regardless if the student's household income exceeds the FPL cap in subsequent years.²⁹ A scholarship recipient who maintains continued eligibility is not required to

²⁴ Direct certification list means the certified list of children who qualify for the food assistance program, the Temporary Assistance to Needy Families Program, or the Food Distribution Program. Section 1002.395(2).

²⁵ Step Up for Students, *2022-2023 Family Empowerment Scholarship for Educational Options Parent Handbook* (July 2022), at 3, available at <https://www.stepupforstudents.org/wp-content/uploads/2022-2023-FES-EO-Parent-Handbook-Final-Draft.pdf>. For a family of four, 185 percent of the FPL is \$51,337.50.

²⁶ Section 1002.394(3), F.S. The Federal Poverty Level may be increased by 25 percentage points in the fiscal year following a fiscal year in which more than 5 percent of the allowable scholarships have not been funded. The eligibility for the 2021-2022 school year was set at 375 percent of the FPL. For a family of four, 400 percent of the FPL is \$111,000.

²⁷ A member of the United States Armed Forces means a member of the Army, Navy, Air Force, Coast Guard, Marine Corps, or Space Force, including a Reservist. Rule 6A-6.0952(2)(f), F.A.C.

²⁸ Section 1002.394, F.S.

²⁹ Section 1002.394, F.S.

reapply annually, however, an SFO may require a recipient to annually confirm their continued participation in the program.³⁰

Authorized Uses of FES-EO Awards

An FES-EO scholarship may be used to cover the tuition and fees for a student to attend an eligible private school. The scholarship award may be used to cover the cost of any assessment fee required by the participating private school and any costs to provide a digital device, including internet access, to the student. A scholarship in the amount of \$750 or an amount equal to the school district expenditure per student riding a bus, whichever is greater, may also be awarded to an eligible student enrolled in a Florida public school which is different from the school to which the student was assigned or in a lab school, if the school district does not provide the student with transportation to the school.

Number of Available FTC, FES-EO, and FES-UA Awards

For the 2019-2020 school year, the maximum program capacity for a student awarded a FES-EO scholarship to attend a private school was established at 18,000 students. Beginning in the 2020-2021 school year, the maximum number of students participating in the scholarship program increases by one percent of the state's total K-12 full-time equivalent student membership each year. The following students are excluded from the maximum program capacity:

- Students who are a dependent child of a law enforcement officer or a member of the United States Armed Forces, a foster child, or an adopted child; or
- Students who meet the eligibility requirements of being on the direct certification list or meet household income requirements or students placed in foster care or out-of-home care and either spent the prior school year in attendance at a Florida public school, or beginning in the 2022-2023 school year, is eligible to enroll in kindergarten.³¹

In the 2021-2022 school year, 77,721 FES-EO scholarships were awarded to eligible students seeking a scholarship to attend a private school. However, the program did not reach full capacity and had the ability to fund an additional 22,078 scholarships.³²

For the 2022-2023 school year, the maximum number of scholarships for eligible students with a disability is established at 26,500 students. Beginning with the 2023-2023 school year, and annually thereafter, the maximum number of students participating in the scholarship program annually increases by one percent of the state's total exceptional student education full-time equivalent student membership, not including gifted students. The maximum program capacity does not include the following students who meet the eligibility requirements:

³⁰ See Step Up for Students, *2022-2023 Family Empowerment Scholarship for Educational Options Parent Handbook* (July 2022), at 12-13, available at <https://www.stepupforstudents.org/wp-content/uploads/2022-2023-FES-EO-Parent-Handbook-Final-Draft.pdf>; AAA Scholarship Foundation, *2021-2022 Parent and School Handbook-Florida Income-Based Scholarship Program*, at 5, available at https://www.aaascholarships.org/wp-content/uploads/2022/06/Parent-and-School-Handbook_FL_2021-22_v3_rev20220616.pdf.

³¹ Section 1002.394, F.S.

³² Florida House of Representatives, *Presentation to the PreK-12 Appropriations Committee, Overview on Florida's K-12 Choice Scholarship Programs* (Feb. 7, 2023), available at <https://myfloridahouse.gov/Sections/Documents/loadaddoc.aspx?PublicationType=Committees&CommitteeId=3209&Session=2023&DocumentType=Meeting+Packets&FileName=pka+2-7-23.pdf>.

- Students who received specialized instructional services under the Voluntary Prekindergarten Education Program during the previous school year;
- Students who are a dependent child of a law enforcement officer or a member of the United States Armed Forces, a foster child, or an adopted child; or
- Students who spent the prior school year in attendance at a Florida public school or received a McKay Scholarship in the 2021-2022 school year.³³

In the 2021-2022 school year, 26,186 FES-UA scholarships³⁴ were awarded to eligible students with a disability. However the program is unable to serve all eligible students and had 5,443 students on the wait list during the 2021-2022 school year. Currently, for 2022-2023 there are 10,356 eligible students on the wait list.³⁵

During the 2021-2022 school year, 85,612 students were awarded an FTC scholarship.³⁶ However, the program did not reach capacity and had a remaining balance of \$254.8M in which to fund additional scholarships.³⁷

FES-EO Awards

The FES-EO is funded through the Florida Education Finance Program (FEFP) with a scholarship awarded by an SFO. An FES-EO scholarship award amount for a student to attend an eligible private school is calculated as 100 percent of the school districts funding per student, including all categorical funds, except for the exceptional student education (ESE) guaranteed allocation.³⁸ For the 2022-2023 school year, the award will average between \$7,250 and \$7,850, depending on grade and county.³⁹

The DOE determines the appropriate student scholarship funding amount and cross-checks scholarship students with public school enrollment to avoid duplication. Upon receiving documentation which verifies a student's participation in the scholarship from the SFO, the DOE must transfer scholarship funds to the SFO for disbursement to parents of participating FES-EO students. Initial scholarship payments are made after the SFO verifies the student's admission acceptance to an eligible private school, with all subsequent scholarship payments occurring upon verification of continued enrollment and attendance at the private school. Any scholarship

³³ Section 1002.394, F.S.

³⁴ Florida House of Representatives, *Presentation to the PreK-12 Appropriations Committee, Overview on Florida's K-12 Choice Scholarship Programs* (Feb. 7, 2023), available at <https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3209&Session=2023&DocumentType=Meeting+Packets&FileName=pka+2-7-23.pdf>.

³⁵ Email, Step Up for Students, Amy Graham (Feb. 14, 2023) (on file with Senate Education).

³⁶ DOE, *Florida Tax Credit Scholarship Program: June 2022 Quarterly Report* (June 2022), available at <https://www.fldoe.org/core/fileparse.php/7558/urlt/FTC-Jun-2022-Q-Report.pdf> [hereinafter *June Quarterly Report*].

³⁷ Florida House of Representatives, *Presentation to the PreK-12 Appropriations Committee, Overview on Florida's K-12 Choice Scholarship Programs* (Feb. 7, 2023), available at <https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3209&Session=2023&DocumentType=Meeting+Packets&FileName=pka+2-7-23.pdf>.

³⁸ Section 1002.394, F.S. See also Step Up For Students, *Income-Based Scholarship Programs Basic Scholarship Amounts for 2022-23*, available at https://www.stepupforstudents.org/wp-content/uploads/Step-Up-For-Students_Income-Based-Scholarship-Amounts.pdf.

³⁹ Step Up for Students, *Florida's Income-Based Scholarships*, available at <https://www.stepupforstudents.org/wp-content/uploads/2022.12.1-Income-Scholarships.pdf>.

payment made by warrant must be delivered by the SFO to the private school of the parent's choice, and the parent must restrictively endorse the payment.⁴⁰

For each FES-EO scholarship, the DOE must cross-check the list of participating scholarship students with public school enrollment and adjust payments to an SFO and school districts based upon these results when the FEFP is recalculated.⁴¹

Home Education Programs

Home education is a parent-directed educational option that satisfies the requirement for regular school attendance. Parents may determine their child's educational path and the plan for reaching their goals. For the 2021-2022 school year 152,109 students participated in home education programs throughout Florida.⁴²

Parents of home education students are required to provide a signed, written notice of intent to establish and maintain a home education program that includes specified information within 30 days of establishing the program. The district school superintendent must accept the notice and immediately register the home education program upon receipt of the notice and may not require any additional information or verification from the parent unless the student chooses to participate in a school district program or service.

Parents of home education students are also required to maintain a portfolio of a student's records and educational materials for two years which must be available for inspection. While the parent determines the content of the portfolio, it must, at a minimum, consist of the following:

- A log of educational activities that is made contemporaneously with the instruction and that designates by title any reading materials used.
- Samples of any writings, worksheets, workbooks, or creative materials used or developed by the student.

The parent must also provide for an annual educational evaluation which documents the student's demonstration of educational progress at a level commensurate with her or his ability. The parent may select of one of the following options for the evaluation and must submit the results to the district school superintendent:

- A teacher selected by the parent evaluates the student's educational progress upon review of the portfolio and discussion with the student;
- The student takes any nationally normed student achievement test administered by a certified teacher;
- The student takes a state student assessment test used by the school district and administered by a certified teacher, at a location and under testing conditions approved by the school district;

⁴⁰ Section 1002.394, F.S.

⁴¹ Section 1002.391(8)(a)14., F.S. The FEFP is calculated five times throughout the year to arrive at each year's final appropriations. See DOE, *2021-22 Funding for Florida School Districts*, at 25, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>.

⁴² DOE, *Home Education Program*, available at <https://www.fldoe.org/core/fileparse.php/5606/urlt/HomeEd-Sept-2022.pdf>.

- The student is evaluated by an individual holding a valid, active license as a psychologist or school psychologist; or
- The student is evaluated with any other valid measurement tool as mutually agreed upon by the district school superintendent of the district in which the student resides and the student's parent.

Home education students are eligible, as provided by law, to participate in a number of district and state programs such as:

- Interscholastic extracurricular student activities;
- The Bright Futures Scholarship Program;
- Dual enrollment programs;
- Admission to Florida College System institutions;
- Admission to state universities;⁴³ and
- An FES-UA scholarship.⁴⁴

School districts are prohibited from further regulating, exercising control over or requiring documentation from parents of home education students beyond the requirements of law.⁴⁵

Effect of Proposed Changes

Private School Participation in Scholarship Programs

The bill requires additional information be provided to parents of students with disabilities considering private schools by requiring that a private school participating in any of the state's scholarship programs provide parents, either by publishing on the school's website or in writing, a statement that a parentally placed private school student with a disability does not have an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school under the Individuals with Disabilities Education Act.

The bill expands the commissioner's oversight powers by allowing her or him to permanently deny or revoke the authority of an owner, officer, or director to establish or operate a private school in the state, and include such individual on the disqualification list maintained by the DOE, if the commissioner determines that the owner, officer, or director has operated an educational institution that closed during the school year. An individual may be removed from the disqualification list if the individual reimburses the department or eligible SFO the amount of scholarship funds received by the educational institution during the school year in which it closed.

Eligibility for Education Choice Scholarships in Florida

The bill expands eligibility for FTC and FES-EO scholarships to include any student who is a resident of Florida and is eligible to enroll in kindergarten through grade 12 in a public school. The parent of an eligible student will receive an empowerment account to take education dollars

⁴³ Section 1002.41, F.S.

⁴⁴ Section 1002.394, F.S.

⁴⁵ Section 1002.41, F.S.

earmarked for their child in the public education system and choose among a variety of options to customize their child's k-12 education.

Scholarship Prohibitions for FES-EO and FTC

The bill modifies FES-EO and FTC scholarship prohibitions by providing that a student is not eligible for an FTC scholarship while he or she is participating in virtual instruction that receives state-funding pursuant to the student's participation.

Authorized uses for FES-EO and FTC Awards

The bill expands the authorized uses of FTC and FES-EO scholarship funds in an empowerment account to include:

- Instructional materials, including digital materials and Internet resources.
- Curriculum, which is a complete course of study for a particular content area or grade level, including any required supplemental materials and associated online instruction.
- Tuition or fees associated with full-time or part-time enrollment in an eligible postsecondary educational institution or a program offered by the postsecondary educational institution unless exempt from paying fees for dual enrollment programs, an approved preapprenticeship program, a private tutoring program, a virtual program offered by a DOE-approved private online provider, the Florida Virtual School as a private paying student, or an approved online course.
- Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement Examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.
- Contracted services provided by a public school or school district, including classes. A student who receives services under a contract is not considered enrolled in a public school for scholarship eligibility purposes, but rather attending a public school on a part-time basis.
- Tuition and fees for part-time tutoring services or fees and services provided by a choice navigator. Such services must be provided by a person who holds a valid Florida educator's certificate, a person who holds an adjunct teaching certificate, a person who has a bachelor's degree or a graduate degree in the subject area in which instruction is given, a person who has demonstrated a mastery of subject area knowledge, or a person certified by a nationally or internationally recognized research-based training program as approved by the DOE. "Part-time tutoring services" does not qualify as regular school attendance.

The bill clarifies that for a scholarship awarded to students enrolled full-time in a private school, a parent agrees to have the SFO commit scholarship funds for tuition and fees at a private school before using account funds for any other authorized use and that a parent is responsible for all eligible expenses in excess of the amount of the scholarship.

The bill expands the definition of eligible postsecondary educational institution to include approved high education institutions which participate in distance education through reciprocity agreements.

To reflect the expanded authorized uses beyond just tuition and fees at a private school, the bill provides that the scholarship amount must be the calculated amount the student would have

generated through the FEFP, rather than the lesser amount of either the calculated funds or the cost of tuition and fees.

Award Priority for FES-EO and FTC

The bill retains the requirement that priority for FTC and FES-EO scholarships be given to those students whose household income does not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care. The bill adds a second priority group for students whose household income is greater than 185 percent of the federal poverty level, but less than or equal to 400 percent of the federal poverty level. Additionally, the bill expands the eligibility for public school transportation scholarships to all students eligible for a scholarship.

The bill requires FES-EO scholarships be awarded once all FTC scholarships have been funded.

Personalized Education Programs

The bill establishes the personalized education program as a parent directed educational choice option that must be registered with a SFO that administers FTC scholarships. The bill authorizes students in personalized educational programs to participate in the FTC scholarship program and establishes personalized education programs as a mechanism to satisfy mandatory school attendance requirements. Students in a personalized education program are provided access to the same programs and services as home education program students.

The bill establishes the following responsibilities for parents and students receiving a FTC scholarship while participating in a personalized education program:

- Apply to an eligible SFO to participate in the program by a date set by the organization. The request must be communicated directly to the organization in a manner that creates a written or electronic record of the request and the date of receipt of the request.
- Sign an agreement with the SFO and annually submit a sworn compliance statement to the organization to satisfy or maintain program eligibility, including eligibility to receive and spend program payments, by:
 - Affirming that the program funds are used only for authorized purposes serving the student's educational needs and that they will not receive a payment, refund, or rebate of any funds provided under this section.
 - Affirming that the parent is responsible for all eligible expenses in excess of the amount of the scholarship and for the education for his or her student.
 - Submitting a student learning plan to the SFO and revising the plan, at least annually before program renewal.
 - Requiring the student to take a nationally norm-referenced test identified by the DOE or a statewide assessment and provide assessment results to the SFO before renewal.
 - Renewing participation in the program each year.
 - Procuring the services necessary to educate the student. When the student receives a scholarship, the district school board is not obligated to provide the student with a free appropriate public education.

For a scholarship student participating in a personalized education program, a SFO must:

- Maintain a signed agreement from the parent which constitutes as complying with the state's attendance requirements.

- Receive eligible student test scores or assessments administered for review by the DOE selected university. Beginning in the 2027-2028 school year, the university must include the personalized education students in their annual performance report to the DOE.
- Provide parents with information, guidance, and support necessary to create and annually update a customized student learning plan for their student. The SFO must maintain the plan and allow parents to electronically submit, access, and revise the plan continuously.
- Upon submission by the parent of an annual student learning plan, fund a scholarship for a student determined eligible.

With regard to personalized education program students, the bill prohibits the SFO from further regulating, exercising control over, or requiring documentation beyond the requirements required by law.

The bill updates the parent and student participation responsibilities for the scholarship by requiring the parent to meet with the private school's principal or the principal's designee to review the school's academic programs and policies, specialized services, code of student conduct, and attendance policies prior to enrollment. The bill also requires a public school to post on their website a statement regarding specified services for students with disabilities.

Number of Available FES-EO and FTC Awards

The bill removes the existing FES-EO scholarship growth provisions and provides a schedule for funding the FTC and FES-EO scholarships to eligible students that are enrolled in a home education program. For the 2023-2024 school year, up to 20,000 personalized education program scholarships may be funded by the FTC. In each subsequent school year, the number of funded scholarships may increase by 40,000 in the FTC scholarships. By the 2027-2028 school year, every personalized education program student will have access to an empowerment account to customize their education.

The bill provides the option for recipients of FTC and FES-EO scholarships who are enrolled in a personal education program, and their parents, work with choice navigators. The bill defines a choice navigator to mean an individual who assists parents with the selection, application, and enrollment in educational options that address the academic needs of their student. The choice navigator must be a person who:

- Holds a valid Florida educator's certificate;
- Holds an adjunct teaching certificate;
- Has a bachelor's degree or graduate degree in the subject area in which instruction is given;
- Has demonstrated a mastery of subject area knowledge; or
- Is certified by a nationally or internationally recognized research-based training program as approved by the department.

The bill requires any consultation between a choice navigator and a parent to be at a mutually agreed upon location and prohibits a choice navigator from overseeing or exercising control over the curricula or academic program of a personalized education program student.

The bill requires the DOE to include coordination with and the reporting by SFOs of personalized education student assessment data in the grant award issued to a state university for

the compiling and analysis of scholarship recipient assessment data. The bill expands the required report under this grant to cover all private schools at which a scholarship student attended rather than only those schools where 51 percent or more of the students received scholarships. Additionally, the bill requires the report to include performance on an individual school basis for both FTC and FES-EO scholarships. Beginning with the 2027-2028 school year report, and annually thereafter, the report must include assessment data from personalized education students on a statewide basis reported by the SFOs.

Additionally, the bill requires the DOE to:

- Report, as part of the determination of full-time equivalent membership, all students who are receiving a FES scholarship program and funded in the FEFP. The DOE must inform SFOs that students may not be submitted for FES funding after February 1 of each year;
- Annually publish its list of nationally norm-referenced tests identified for purposes of satisfying scholarship program assessment requirements;
- Assist school districts in their budgeting processes, requiring the DOE to report to school districts the consensus estimate of FTC and FES-EO enrollment in the subsequent school year; and
- Have at least two application periods for charitable organizations to apply to be SFOs in Florida.

The bill retains current law for home education families not participating in the FTC and FES programs.

Scholarship Term for FES-EO and FTC

The bill requires an FTC and FES-EO scholarship to remain in force until:

- The SFO determines that the student is not eligible for program renewal;
- The Commissioner of Education (commissioner) suspends or revokes program participation or use of funds;
- The student's parent has forfeited participation in the program for failure to comply with statutorily required parental and student responsibilities;
- The student enrolls in a public school, however, if a student enters a Department of Juvenile Justice detention center for a period of no more than 21 days, the student is not considered to have returned to a public school on a full-time basis for that purpose; or
- The student graduates from high school or attains 21 years of age, whichever occurs first.

A student's empowerment account must be closed and any remaining funds will revert to the state, after:

- Denial or revocation of program eligibility by the commissioner for fraud or abuse, including, but not limited to, the student or student's parent accepting any payment, refund, or rebate, in any manner, from a provider of any services; or
- Two consecutive fiscal years in which an account has been inactive.

The bill permits reimbursements for program expenditures to continue until the account balance is expended or remaining funds have reverted to the state.

SFO Obligations for FES-EO and FTC

For both FTC and FES-EO scholarship recipients, the bill requires that an SFO establish and maintain an empowerment account for each eligible student and maintain records of accrued interest retained in the student's account. The parent of an eligible student must approve each payment prior to the SFO transferring funds and all dispersals to the account must be made by funds transfer. The SFO may permit eligible students to use program funds by paying for the authorized use directly, then submitting a reimbursement request to the eligible SFO. However, a SFO is authorized to require the use of an online curriculum or academic programs. If a parent purchases an identical product offered by the SFO's online platform for a lower price, the SFO must reimburse the parent for the cost of the product.

For both the FTC and FES-EO scholarships, the SFO is required to verify a student's eligibility each fiscal year, prior to granting a scholarship for that fiscal year. A student whose participation in the program is not renewed may continue to spend scholarship funds that are in his or her account from prior years unless the account must be closed. The bill establishes a cap of \$24,000.00 as the maximum amount an SFO is permitted to maintain in an individual student's empowerment account for an FES-EO or FTC scholarship.

The bill requires the DOE to transfer eligible student scholarship funds, beginning August 1, to an SFO. The bill maintains the quarterly disbursement of funds to a student's empowerment account.

The bill requires that a SFO must award for annual or partial-year scholarships an amount equal to or greater than 75 percent of all estimated eligible contributions and all funds carried forward from the prior fiscal year remaining after administrative expenses, before funding any scholarships to students determined eligible for an FES-EO scholarship. The bill requires a SFO to submit to the DOE, beginning September 30, 2023, quarterly reports that provide estimated actual amounts of the net eligible contributions and all funds carried forward from the prior state fiscal year.

To provide guidance to scholarship recipients on allowable expenditures under FTC, FES-EO, FES-UA, and all of Florida's scholarship programs, the bill requires SFOs to participate in a joint development of agreed-upon purchasing guidelines. The jointly developed purchasing guidelines must be provided to the commissioner and published to the SFO's website by December 31, 2023, and annually thereafter.

The bill requires SFOs to notify parents that participation in the FTC or FES-EO scholarship programs does not guarantee enrollment at any particular private school.

Number of Available FES-UA Awards

To increase the number of eligible students with disabilities served by the scholarship, the bill increases the scholarship capacity from 1 to 3 percent of the state's total exceptional student education student membership annually.

The bill also expands the authorized uses of a FES-UA scholarship to include preapprenticeship programs or fees for services provided by a choice navigator. Additionally, FES-UA students may now use scholarship funds for distance learning at postsecondary educational institutions

with reciprocity agreements. The bill clarifies that a FES-UA recipient receiving contracted services provided by a public school or school district are considered to be attending public school on a part-time basis.

The bill requires that private schools accepting FES-UA scholarships discuss with the parent, before enrollment, the school's academic programs, and policies and specialized services which may meet the student's individual needs.

The bill provides schools districts with additional flexibility when developing a matrix of services for a nonpublic school student receiving an FES-UA scholarship, by authorizing the school district to rely on the evaluation reports and plans of care developed by a licensed professional when completing the matrix of services.

The bill establishes a cap of \$50,000 as the maximum amount a SFO is permitted to maintain in an individual student's empowerment savings account for a FES-UA scholarship.

Other Scholarship Provisions

The bill revises the definition of an eligible contribution under FTC to mean a monetary contribution from a taxpayer, subject to the restrictions provided in s. 1002.395, F.S., to an eligible SFO pursuant to ss. 212.099, 212.1832, 1002.395, and 1002.40, F.S.

The bill removes the requirement that the school district in which a scholarship student resides must provide the student information about locations and times for statewide, standardized assessment. The bill retains the requirement that the school district in which the private school student attends is located provide locations and times for a student to take statewide, standardized assessments, upon the parent's request.

Part-time Enrollment in Public Schools

Present Situation

At least 12 states expressly permit students to enroll in public school part-time. These states vary greatly in the scope of the authorization for part-time enrollment, specifically, six permit both home school students and private school students to enroll part-time in public schools while three permit only home school students and three permit only private school students to enroll part-time. Additionally in the funding provided to school districts when a student enrolls part-time varies between these states with some providing funding based on instructional time while others provide only a flat rate for part-time students.⁴⁶

Florida law does not expressly authorize or prohibit part-time enrollment in public schools. However, for the purpose of funding Florida's school districts, the FEFP does provide a definition of a "part-time student" and authorizes a district to receive funding for the student

⁴⁶ ExcelinEd, *Part-time Enrollment Policy Analysis June 2021*, available at https://excelined.org/wp-content/uploads/2021/06/ExcelinEd_PolicyAnalysis_PartTimeEnrollment_June2021.pdf.

proportional to the amount of instructional hours provided by the school divided by the minimum term.⁴⁷

Effect of Proposed Changes

The bill expressly authorizes any public school in the state, including charter schools, to enroll a student on a part-time basis, subject to space and availability. Students that attend public school part-time generate FTE student membership consistent with the definition of “part-time student” currently in law. The bill clarifies that students enrolled in public school part-time are not considered to be in regular attendance at a public school. However, such students attending a public school on a part-time basis and receiving a scholarship may not be reported for funding.

State School Choice Scholarship Program Accountability and Oversight

Present Situation

The Commissioner of Education (commissioner) is the chief educational officer of the state, and is responsible for giving full assistance to the State Board of Education (SBE) in enforcing compliance with the mission and goals of the K-20 education system except for the State University System. The commissioner’s office operates all statewide functions necessary to support the SBE, including strategic planning and budget development, general administration, assessment, and accountability.⁴⁸ The commissioner may revoke the authority of an owner or operator to establish or operate a private school for various reasons and shall include such individuals on the disqualification list.⁴⁹

The DOE is required to maintain the disqualification list that includes all of the following:

- The person has been permanently denied an educator certificate or whose educator certificate has been permanently revoked.
- Has been permanently disqualified from owning or operating a private school that participates in the scholarship program.
- Has been terminated, or has resigned in lieu of termination as a result of sexual misconduct with a student.
- Is ineligible for an educator certification or employment for not meeting the Screening Standards pursuant to s. 1012.315, F.S.⁵⁰

An individual may be removed from the disqualification list if the person:

- Completes a law enforcement investigation that results in an exoneration or no conviction or finding of guilt and a completes an investigation and proceeding, as applicable, by the responsible education agency resulting in a finding that the person did not commit disqualifying conduct;
- Was not the subject of the report of disqualifying conduct and was included on the disqualification list in error or as a result of mistaken identity; or

⁴⁷ Section 1011.61, F.S.

⁴⁸ Section 1001.10, F.S.

⁴⁹ Section 1001.10(4), F.S.

⁵⁰ Section 1002.421(3), F.S.

- The employer that submitted the person for inclusion on the disqualification list requests that the person be removed and submits documentation to support the request.

To participate in the State Scholarship Programs a private school must:

- Comply with antidiscrimination provisions;⁵¹
- Demonstrate fiscal soundness;
- Meet applicable state and local health, safety, and welfare laws, codes, and rules;
- Employ or contract teachers with certain qualifications such as baccalaureate or higher degrees, have at least 3 years of teaching experience, or have special skills knowledge or expertise that qualifies them to provide instruction in subjects taught;
- Cooperate with a student whose parent chooses to participate in the statewide assessments; and
- May not employ a person who appears on the disqualification list.⁵²

Effect of Proposed Changes

The bill authorizes the Commissioner of Education to deny an owner, officer or director to participate in the state school scholarship program if the individual has operated an educational institution that closed during the school year. Provides that such an individual may be removed from the disqualification list (as currently required) if the individual reimburses the DOE or eligible nonprofit scholarship-funding organization the amount of the scholarship funds received by the educational institution during the school year in which it closed.

Deregulation of Public Schools

Present Situation

Florida has provided opportunities for public schools to have similar flexibility and accountability requirements as charter schools in the past by establishing various pilot programs and school initiatives with the purpose of improving student achievement and relieving school districts of burdensome regulations.⁵³ However the last time the early learning through 20 education code was revised was in 2001.⁵⁴

Effect of Proposed Changes

In an effort to provide more flexibility, efficiency, and reduce unnecessary regulation for public schools, the bill requires the SBE, no later than November 1, 2023, to develop and recommend to the Governor and Legislature for adoption during the 2024 legislative session repeals and revisions to the Florida Early Learning-20 Education Code, chapters 1000-1013, Florida Statutes.

The SBE musts make recommendations addressing repeals and revisions to the statutes governing the transportation of students. The SBE must consider input from teachers,

⁵¹ 42 U.S.C. s. 2000d

⁵² Section 1002.421(1), F.S.

⁵³ Section 228.058, F.S., Section 228.0565 (2001) and Section 1002.451, F.S for examples.

⁵⁴ Section 4, ch2001-170, L.O.F. *See also, Florida School Laws 2001 Edition*, LexisNexis (2001) and *Florida School Laws 2022 Edition*, LexisNexis (2022). Education code chapters increased from 636 pages in 2001 to 944 pages in 2022

superintendents, administrators, school boards, public and private postsecondary institutions, home educators, and other entities identified by the SBE in undertaking this effort.

Requirements for a Standard High School Diploma

Present Situation

Florida law requires the adoption of standards for core curricula content taught in public schools and specifies the requirements that students must meet to earn a standard high school diploma.⁵⁵

In order to receive a standard high school diploma, a student must successfully complete 24 credits in core-curricula and extracurricular courses with a 2.0 or higher cumulative grade point average⁵⁶ with limited exceptions.⁵⁷

The 24 required credits must be completed in the following subject areas:

- Four credits in English Language Arts (ELA) I, II, III, and IV.
- Four credits in mathematics, including one in Algebra I and one in Geometry.
- Three credits in science, two of which must have a laboratory component and one of which must include Biology I.
- Three credits in social studies including one credit in United States History, one credit in World History, one-half credit in economics, and one-half credit in United States Government.
- One credit in fine or performing arts, speech and debate, or practical arts.
- One credit in physical education which includes the integration of health.
- One-half credit in personal financial literacy for students entering grade 9 in the 2022-2023 school year.
- Eight credits in electives for students entering grade 9 prior to the 2022-2023 and 7.5 credits in electives for students entering grade 9 in the 2022-2023 school year.

In addition, within the 24 credits, at least one course must be completed through online learning.⁵⁸

Florida's online course requirement was established as part of the Digital Learning Now Act⁵⁹ passed by the legislature in 2011; however, additional options have been added to satisfy the requirement. Currently, a student may:

- Complete an online or blended learning course in grades 6-12 that is within the 24 credits required for graduation.
- Complete a course in which the student earns a nationally recognized industry certification in information technology identified on the CAPE Industry Certification Funding List.

⁵⁵ Sections 1003.41 and 1003.4282(3), F.S.

⁵⁶ Section 1003.4282, F.S.

⁵⁷ Section 1002.3105, F.S. A student may graduate with a minimum of 18 credit hours through the Academically Challenging Curriculum to Enhance Learning option if the student meets core course credit, assessment, and GPA requirements and completes three electives.

⁵⁸ Section 1003.4282, F.S.

⁵⁹ Section 1, ch. 2011-137 L.O.F.

- Pass an industry certification exam in information technology without enrolling or completing the corresponding course.⁶⁰

In addition, a student who has an individual education plan which indicates than an online or blended learning course would be inappropriate is exempt from the requirement as well as an out-of-state transfer student enrolled in a Florida high school and has one academic year or less remaining in high school.

A school district must report to the DOE when a student takes an online course and indicate if the student took the course under conditions that meet the online course graduation requirement.⁶¹

Effect of Proposed Changes

The bill removes the requirement for at least one course within the 24 credits required for a standard diploma to be completed through online learning.

Educator Certification

Present Situation

Educational personnel in public schools must possess appropriate skills in reading, writing, and mathematics; adequate pedagogical knowledge; and relevant subject matter competence so as to demonstrate an acceptable level of professional performance.⁶²

The SBE designates the certification subject areas, establishes competencies, and adopts rules in accordance with which education certificates are issued by the DOE to qualified applicants.⁶³

General Eligibility

In order to seek educator certification, a person must attest to uphold the principles of the United States (U.S.) and meet other general eligibility requirements, which include receipt of a bachelor's or higher degree from an approved postsecondary institution and minimum age, background screening, moral character, and competence requirements.

Professional Educator Certificate

A professional teaching certificate is valid for five school fiscal years and is renewable. A professional certificate is awarded to an applicant who meets the basic eligibility requirements for certification and demonstrates mastery of:

- General knowledge, only if serving as a classroom teacher
- Subject area knowledge
- Professional preparation and education competence

⁶⁰ Section 1003.4282(4), F.S.

⁶¹ DOE, *DOE Information Database Requirements Volume I, 2022.2023*, available at <https://www.fldoe.org/core/fileparse.php/20077/urlt/2223-197235.pdf>.

⁶² Section 1012.54, F.S.

⁶³ Section 1012.55(1), F.S.

Acceptable means of demonstrating mastery of general knowledge are specified in law and include passing one of several different examinations identified by the SBE, having a valid teaching certificate from another state, having a valid certificate from the National Board for Professional Teaching Standards (NBPTS), teaching a minimum of two semesters in either full-time or part-time status at a state college or university or at the private college level, or having a master's or higher degree from an accredited postsecondary education institution.

The acceptable means of demonstrating mastery of subject area knowledge are specified in law and include passing a subject area or other alternative examination as approved by the SBE, having a valid teaching certificate from another state, having a valid certificate from the NBPTS, or a passing score or program completion of a specified defense language proficiency test or program.⁶⁴

A candidate for a professional certificate may demonstrate professional preparation and education competence through the completion of a teacher preparation program and a passing score on the corresponding professional education competency exam required by the SBE.⁶⁵

Other means include:

- Documentation of a valid professional standard teaching certificate issued by another state, the NBPTS, or a national educator credentialing board approved by the SBE.
- Passing the professional education competency examination and documentation of two semesters of successful, full-time or part-time teaching in a state college or university or a private college or university approved by the DOE.
- Successful completion of professional preparation courses, successful completion of a professional preparation and education competence program, and achievement of a passing score on the professional education competency examination;
- Successful completion of a professional development certification and education competency program.
- Successful completion of a competency-based certification program and achievement of a passing score on the professional education competency examination.

Temporary Educator Certificate

A temporary teaching certificate is valid for three school years and is nonrenewable. The DOE is required by law to issue a temporary certificate to any applicant who:

- Completes applicable subject area content requirements or demonstrates mastery of subject area knowledge by, for example, successful completion of an approved exam; and
- Holds an accredited degree or a degree approved by the DOE at the level required for the subject area specialization in state board rule.⁶⁶

A classroom teacher under a temporary certificate has the validity period of the certificate to complete the remaining requirements of general knowledge and professional preparation and education competence in preparation for application for a professional certificate.

⁶⁴ Section 1012.56, F.S.

⁶⁵ Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida* (Oct. 1, 2020), incorporated by reference in rule 6A-4.0021, F.A.C., available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10344>.

⁶⁶ Section 1012.56, F.S.

Effect of Proposed Changes

Upon becoming a law, the bill provides a waiver of the mastery of general knowledge requirement for an individual who has been provided 3 years of supports and instruction by the school district and who has been rated effective or highly effective for each of the last 3 years.

The bill allows for an individual to demonstrate mastery of subject area knowledge, for subjects only requiring a baccalaureate degree for which a Florida subject area examination has been developed, through documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher in the certificate subject area as identified by the SBE. The bill clarifies that demonstrating mastery of subject area knowledge for a subject requiring a master's or higher degree is achieved by passing a subject area exam or a standardized exam that is directly related to the subject.

The bill permits an individual to demonstrate mastery of professional preparation and education competence by documentation of 3 years of being rated effective or highly effective and successful completion of professional preparations courses or a professional preparation and education competence program.

The bill extends the duration of a nonrenewable temporary certificate from 3 to 5 years.

Student Transportation

Present Situation

District school boards, after considering recommendations of the district school superintendent, must provide transportation for each student in prekindergarten disability programs and in K-12 public schools when transportation is necessary to provide adequate educational facilities and opportunities which otherwise would not be available. School districts must also transport students whose homes are more than a reasonable walking distance from the nearest appropriate school.⁶⁷

Federal law, Florida law, rules of the SBE, and rules of the district school board specify the responsibilities and requirements of district school superintendents and district school boards in regards to the transportation of students to and from school and school activities.⁶⁸

In 2020-2021, school districts transported 508,293 students, or 18 percent of the total enrollment in traditional public schools.⁶⁹

⁶⁷ Section 1006.21(3), F.S.

⁶⁸ See Sections 1006.21, 1006.22, 1006.23, 1006.24, 1006.25, 1006.261, and 1006.27, F.S.

⁶⁹ <https://www.fldoe.org/core/fileparse.php/7585/urlt/schtrandist2021.pdf>

Safety and Health of Students Being Transported.

School districts are responsible for the safety and health of students being transported that must be observed by district school boards in routing buses, appointing drivers, and providing operating equipment, in accordance with law and SBE rules.⁷⁰

There are four vehicle categories that indicate the type of vehicle used to transport a student. These include:

- School buses meeting Florida School Bus Specifications.
- Passenger car or allowable multipurpose passenger vehicle owned, operated, or contracted by the school board or charter school, transporting fewer than 10 students.
- Privately owned motor vehicle or boat (for certain students with disabilities or isolated students).
- General-purpose transportation (city buses, trains, etc.).⁷¹

District school boards must use school buses for all regular transportation, including to and from school or school-related activities.⁷² All public school buses owned, operated, rented, leased and contracted for by any public school board or charter school, used to transport children to and from school or school-related events must meet certain requirements.⁷³

In 2020-2021, 12,551 school buses were in daily service, traveling over 204 million total miles.⁷⁴

District school boards may use motor vehicles other than school buses only when the transportation is:

- For physically handicapped or isolated students and the district school board has elected to provide for the transportation of the student.
- A part of a comprehensive contract for a specialized educational program.
- Provided through a public transit system.
- For trips to and from school sites or agricultural education sites but not the customary transportation between the student's residence and such sites.
- For trips to and from school sites but is not for customary transportation between a student's residence and such sites.

Transportation provided in a vehicle other than a school bus owned, operated, or contracted by the school board or charter school must meet statutory and federal requirements related to the size of the vehicle, and must meet requirements regarding licensed adult drivers and board procedures for liability.⁷⁵ Federal regulations do not prohibit the use of vans by schools, but

⁷⁰ Section 1006.22, F.S.

⁷¹ DOE Bureau of PK-20 Education Data Warehouse and Office of Funding and Financial Reporting, *Full-time Equivalent (FTE) General Instructions 2020-21*, at 72, available at, <https://www.fldoe.org/core/fileparse.php/7507/urlt/2021FTEGeneralInstruct.pdf>.

⁷² Section 1006.22(1), F.S.

⁷³ DOE, *Florida School Bus Specifications* (January 2020), available at, <https://www.fldoe.org/core/fileparse.php/7585/urlt/2020FLSchoolBusSpec.pdf>.

⁷⁴ <https://www.fldoe.org/core/fileparse.php/7585/urlt/schtrandist2021.pdf>

⁷⁵ Section 1006.22, F.S.

require any van, with a capacity of more than 10, sold or leased for use as a school bus, to meet the safety standards applicable to school buses.⁷⁶

District school boards may authorize the transportation of students in privately owned motor vehicles on a case-by-case basis only in the case of illness or for isolated events as long as each student's parent is notified in writing and gives written consent before a student is transported in a privately owned motor vehicle.

The district school superintendent must notify the district school board or any school bus or other vehicle used to transport students that does not meet all the requirements of law and the rules of the SBE. If the school bus is in an unsafe condition, the district school board must withdraw it from use until it meets specified requirements to be deemed safe for operation. The DOE may inspect any school bus to determine whether the bus meets the requirement of law and rules of the SBE.

In an emergency situation, as defined by district school board policy, a school district may temporarily require transporting students in excess of the rated seat capacity adhering to certain conditions. Each district school board is responsible for prompt relief of the emergency condition by providing additional specified actions maintained in district school board policies.⁷⁷

School Buses

The DOE must assist district school boards in securing school buses, contractual needs, equipment, and supplies at as reasonable prices as possible by providing a ply under which district school boards may pool their bids for such purchases.⁷⁸

The State Board of Education is authorized to adopt rules regarding school bus safety standards, standards for leased vehicles, and passenger protection systems.

Transportation Costs and Expenditures

In the 2020-2021 fiscal year, Florida provided \$449.9M to transport students, however total transportation expenditures reported by school districts exceeded \$964M. In addition, in that year school districts spent over \$108 million on school bus purchases.⁷⁹

Florida has allocated \$515M in funds to provide transportation to students in the 2022-2023 fiscal year.⁸⁰

School districts are also responsible for transportation costs for students participating in:

⁷⁶ 49 U.S.C. s. 30101 and National Highway Traffic Safety Administration, *Use of Nonconforming Vehicles for School Transportation*, <https://one.nhtsa.gov/people/injury/buses/pub/noncom.hmp.html> (last visited Feb. 14, 2023).

⁷⁷ Section 1006.22, F.S.

⁷⁸ Section 1006.27(1), F.S.

⁷⁹ DOE, Florida School District 2020-21 Transportation Profiles, March 2022, available at <https://www.fldoe.org/core/fileparse.php/7585/urlt/schtrandist2021.pdf> at 4.

⁸⁰ DOE, Florida Education Finance Program Third Calculation, 2022-2023, January 2023, available at: <https://www.fldoe.org/core/fileparse.php/7507/urlt/2223FEFPTthirdCalc.pdf>

- The Opportunity Scholarship Program when parents choose that their student be enrolled in a higher-performing public school in the school district.⁸¹
- The FES program when parents choose another public school in the school district.⁸²

In an effort to improve access to reliable and safe transportation for students participating in public education school choices and to support innovative solutions that increase the efficiency of public school transportation, the Driving Choice Grant Program was passed during the 2022 legislative session. The DOE must publish on its website, by December 31, 2023, an interim report and by December 31, 2024, a final report that includes best practices used by grant recipients to increase transportation options for students and the number of students served by grant recipients.⁸³

Effect of Proposed Changes

The bill provides additional flexibility to district school boards in the transportation of student by removing the blanket requirement that all regular transportation occur on school buses and authorizing the use of other vehicles.

The bill removes the circumstances by which students may be transported in privately owned vehicles, allowing broader authority to district school board to use such transportation. However, the district school board must still authorize such transport on a case-by-case basis and with the authorization of each student's parent.

The bill requires district school superintendents to notify the district school board of any other vehicle used to transport students that does not meet all statutory requirements.

The bill adds to the requirement that the SBE assist school districts in securing school buses through pooling bids, to include other vehicles used for transporting students.

The bill maintains SBE authority to adopt rules relating to transportation of students necessary to protect student health and safety.

Educational Facilities

Present Situation

Funds for Comprehensive Educational Plant Needs

In Florida, construction costs for traditional K-12 public school facilities are reported based on the cost per student station.⁸⁴ In 2005, the DOE conducted a study on overall inflation of school construction costs, including the Consumer Price Index (CPI) and other factors. The cost per student station levels adopted in 2006 were based on the DOE's study recommendations and is adjusted to reflect increases and decreases in the CPI.⁸⁵ The DOE and the Office of Economic

⁸¹ Section 1002.38, F.S.

⁸² Section 1002.394, F.S.

⁸³ Section 1006.27(3), F.S.

⁸⁴ Section 1013.64(6), F.S.

⁸⁵ Office of Economic and Demographic Research, *Review of Florida's Cost Per Student Station* (January 2017), available at <http://edr.state.fl.us/content/special-research-projects/education/CostPerStudentStation.pdf> at 6.

and Demographic Research (EDR)⁸⁶ are required to work together to calculate and disseminate new statutory caps.

Current law prohibits a district school board from using funds from specified sources for any new construction of educational plant space with a total cost per student station exceeding:

- \$27,212 for an elementary school;
- \$29,385 for a middle school; or
- \$38,169 for a high school.⁸⁷

Except for certain educational facilities and sites subject to a lease-purchase agreement that may be paid for by a district school board levy,⁸⁸ or funded solely through local impact fees, a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station that exceeds these amounts. The cost per student station includes, for example, contract costs, fees of architects and engineers, and the cost of furniture and equipment. The cost per student station specifically does not include the cost of purchasing or leasing the site for the construction, legal and administrative costs, the cost of related site or offsite improvements, and costs for school safety and hardening items and other capital construction items approved by the school safety specialist to ensure building security for new educational, auxiliary, or ancillary facilities.⁸⁹

Effect of Proposed Changes

The bill amends s. 1013.64, F.S., to provide relief for school district construction projects by authorizing an unfinished construction project for new construction of educational plant space started on or before July 1, 2026, as exempt from the total cost per student station requirements.

Maintenance and Transfer of School Records

Present Situation

Each principal is responsible for maintaining a permanent cumulative record for each student enrolled in a public K-12 school. The required form and content of the cumulative records is established in SBE rule. The cumulative record is confidential and exempt from Florida's public records laws and is open to inspection only as provided law.⁹⁰

The procedure for transferring and maintaining records of students who transfer from school to school shall be proscribed by rules of the SBE. The transfer of records shall occur within 3 school days. The records shall include:

- Verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services; and

⁸⁶ The Office of Economic and Demographic Research is a research arm of the Legislature principally concerned with forecasting economic and social trends that affect policy making, revenues, and appropriations. Office of Economic and Demographic Research, *Welcome*, <http://edr.state.fl.us/Content/> (last visited January 26, 2023).

⁸⁷ Section 1013.64, F.S. and DOE, *Cost Per Student Station (forecast for) July. 2023 (July 2022)*, available at <http://edr.state.fl.us/Content/conferences/peco/studentstation.pdf>.

⁸⁸ Section 1011.71(2), F.S., sets forth the guidelines for authorized district school board lease-purchase agreements.

⁸⁹ Section 1013.64(6), F.S.

⁹⁰ Section 1003.25(1), F.S.; see rule 6A-1.0955, F.A.C.

- Psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by school district or charter school staff, as appropriate.⁹¹

Effect of Proposed Changes

To lessen the administrative burden on school districts while also ensuring the records are transferred in a timely manner, the bill requires that the transfer of records must occur within 5 school days.

District School Tax

Present Situation

In order to receive funds under the Florida Education Finance Program for the operation of schools, a district school board must levy the millage⁹² set for its required local effort from property taxes.⁹³ A school district's millage rate may not exceed the amount certified by the Commissioner of Education as the minimum millage rate necessary to provide the district required local effort for the current year.⁹⁴

In addition to the required local effort, each school district may levy a discretionary nonvoted current operating millage.⁹⁵ The Legislature proscribes annually in the General Appropriations Act (GAA) the maximum amount of millage a district may levy. For the 2022-2023 Fiscal Year (FY), the Legislature set a maximum levy of 0.748 mills.⁹⁶

In addition to the maximum discretionary levy of nonvoted current operating millage, a school board may also levy no more than 1.5 mills for charter schools and for district schools to fund:⁹⁷

- New construction, remodeling projects, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.
- Maintenance, renovation, and repair of existing school plants or of leased facilities to correct deficiencies.
- The purchase, lease-purchase, or lease of school buses.
- The purchase, lease-purchase, or lease of new and replacement equipment, including computer and device hardware and enterprise resource software.
- Lease and lease-purchase agreements for educational facilities.
- Costs related to compliance with state and federal environmental requirements.
- Costs of opening day collection for the library media center of a new school.

⁹¹ Section 1003.25(2) F.S.; see rule 6A-1.0955, F.A.C.

⁹² Section 200.001(3)(a)-(e), F.S. School millage is composed of five categories: nonvoted required school operating millage, nonvoted discretionary school operating millage, voted district school operating millage, nonvoted district school capital improvement millage, and voted district school debt service millage.

⁹³ Section 1011.71(1), F.S.

⁹⁴ *Id.* The state average millage was set at 3.262; for the 67 school districts, the certified required millage varied from 3.355 mills (Miami Dade County) to 1.249 mills (Monroe County). See Florida Department of Education, *2022-23 Funding for Florida School Districts*, at 7, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>.

⁹⁵ Section 1011.71(1), F.S.

⁹⁶ Specific Appropriation 86, s. 2, ch. 2022-156, L.O.F.

⁹⁷ Section 1011.71(2)(a)-(i), F.S.

- Costs of school buses when a school district contracts with a private entity to provide transportation services.
- Specified loans.

Effect of Proposed Changes

The bill adds payment of salaries and benefits for employees whose job duties support activities funded by the district school tax as an authorized use for district school tax funds.

The bill is effective on July 1, 2023, except as otherwise expressly provided.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/CS/SB 202 will have a negative impact on state expenditures. In addition to maximizing the capacity of estimated tax credits and assuming the use of a carryforward or reserve balance available under the Florida Tax Credit Scholarship (FTC) the bill will require an additional \$217.2 million state appropriation for Fiscal Year 2023-2024. The

impact on state expenditures will increase or decrease depending on the average awards for the scholarships and if more or less students participate than forecasted.

In Fiscal Year 2024-2025, the impact on state expenditures is expected to grow as additional home school students may participate in the program due to increases in the caps in the bill.

Eligible Students

In Fiscal Year 2021-2022, there were 372,632 students enrolled in kindergarten through 12th grade in a Florida private school. Of this, 302,491 (81.2%) were enrolled in a private school that is participating in either the Florida Tax Credit or the Family Empowerment - Education Opportunity (FES-EO) program. Based on a projected growth rate of approximately 4 percent, it is forecasted that overall private school enrollment will grow to 393,207 for the 2023-2024 school year, with 315,702 students enrolled in a participating school and the remaining 77,505 enrolled in a private school not participating in a state scholarship program.

Based on the February 6, 2023, PreK-12 Enrollment Estimating Conference, 257,717 students are forecasted to be enrolled at a private school on a state scholarship for the 2023-2024 school year. This leaves 57,985 of the 315,702 students estimated to be enrolled in a participating private school who are not on a state scholarship.

Of the 77,505 students enrolled in a private school not currently participating in a state scholarship program, it is assumed that approximately 20 percent would participate in a state scholarship program under the bill in Fiscal Year 2023-2024.

In addition, the bill authorizes home school students to participate in FES-EO and FTC scholarships, with a cap of 20,000 students total across both programs in Fiscal Year 2023-2024. The bill authorizes an additional 40,000 home school students per year to participate in the program beginning in the Fiscal Year 2024-2025 through Fiscal Year 2026-2027.

The table below shows the total number of additional students (70,656) estimated to enroll in a Florida Tax Credit Scholarship or a Florida Empowerment Scholarship (Education Opportunity).

**Total Eligible Students – FES-EO Program
Fiscal Year 2023-2024**

Students	Eligible Students Not on Scholarship	Participation Rate	Additional Students
Enrolled in a Participating School	57,985	60.43%	35,043
Enrolled in a Non-Participating School	77,505	20.14%	15,613
Home School Students	168,759		20,000
TOTAL	304,249		70,656

For the Florida Empowerment Scholarship for students with disabilities (FES-UA), the bill increases the cap from 1 percent to 3 percent of the total eligible exceptional student education (ESE) full-time equivalent students. Based on an ESE population this change in policy will allow an additional 9,628 students to receive a scholarship.

Funding Scholarships

Since the eligibility requirements are the same for FTC and FES-EO scholarships, the additional 70,656 students who are estimated to participate in these scholarship programs may be funded from either FTC tax credit contributions or general revenue in the FEFP. At the March 13, 2023 Revenue Estimating Conference, it was forecasted that the tax credit contributions for FTC would be \$850 million for fiscal year 2023-2024. The last estimate for the 2022-2023 school year showed that a total of 92,980 students were funded on a FTC scholarship, with a total cost of \$701.9 million. The \$126 million remaining tax credit contributions would fund an estimated 16,338 additional FTC scholarships at an average award of \$7,714, after administrative fees are deducted. Additionally, it is estimated that the scholarship funding organizations have a carryforward or reserve balance of approximately \$370 million, which, in part, may be used to fund approximately 39,318 additional scholarships for fiscal year 2023-2024. The remaining 15,000 students not funded by FTC would receive an FES-EO scholarship, which is funded with general revenue funds in the FEFP.

The table below details the bill’s total estimated fiscal impact for FTC, FES-EO, and the FES-UA. Similar to the FES-EO scholarship, the 9,628 additional FES-UA scholarships would be funded with general revenue funds in the FEFP.

Total Additional Scholarship Funding – Fiscal Year 2023-2024

Scholarship Program	Additional Students	Average Awards 2022-2023	Estimated Total Cost
Florida Tax Credit Scholarship	55,656	\$7,714	\$429.3 M
Florida Empowerment Scholarship (FES) – Education Opportunity	15,000	\$7,714	\$115.7 M
Florida Empowerment Scholarship (FES) – Unique Ability	9,628	\$10,544	\$101.5 M
Subtotal FES Scholarships (General Revenue)	24,628		\$217.2 M
TOTAL	80,284		\$646.5 M

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 11.45, 212.099, 327.371, 1001.10, 1002.01, 1002.20, 1002.394, 1002.395, 1002.40, 1002.421, 1003.25, 1003.27, 1003.4282, 1003.4851006.21, 1006.22, 1006.25, 1006.261, 1006.27, 1009.30, 1011.62, 1011.71, 1012.22, 1012.56, 1013.64, 1002.321, 1003.5716, 1002.20, 1003.01, and 1003.499.

This bill creates section 1002.44 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations on March 16, 2023:

The committee substitute made the following modifications to the bill:

- Establishes the priority for FTC and FES-ES scholarships for students whose household income does not exceed 185 percent of the FPL and it creates a second priority for households with an income not exceeding 400 percent of the FPL.
- Maintains the choice navigator and redefines it as an option that parents may choose and requires the choice navigator to meet the requirements of a part-time tutor.

- Maintains that all students must take a nationally norm-referenced test or statewide assessment and adds reporting provisions for personalized education students beginning in 2027-2028.
- Maintains flexibility for traditional public schools with the following differences:
 - Continues to authorize other vehicles for student transportation but pulls back in specified SBE rule-making authority.
 - Continues to address teacher certification requirements through additional options to earn an educator certificate.

The committee substitute adds the following to the bill:

- Addresses home education concerns by authorizing a “personalized education program” as an additional way to meet attendance requirements.
- Defines a “personalized education student” as a student whose parent applies to an SFO for participation in a personalized education program through FTC and authorizes these students as eligible to be reimbursed for dual enrollment expenses.
- Authorizes up to 20,000 (rather than 10,000) FTC scholarships to students enrolled as personalized education students and increases the amount by 40,000 rather than 20,000 in subsequent years until 2027. This number incorporates the scholarships previously set aside for home education students in FES.
- Adds SFO and parent requirements similar to FES-UA for an FTC personalized education student.
- Requires the parent opting for a private school to use all scholarship funds for tuition and fees before using funds for additional authorized uses and requires parents to be reimbursed for program expenses purchased at a lower cost.
- Requires FES-EO scholarships to be funded once all FTC scholarships have been funded.
- Requires the SFO to submit quarterly reports to the DOE providing the estimated and actual amounts of all FTC funds.
- Requires a private school to publish on the school’s website a statement regarding specified services for students with disabilities.
- Extends the timeline to transfer student records from three to five school days.
- Authorizes the district school tax to be used for payment of salaries and benefits for employees whose job duties support related activities.

The committee substitute deletes the following from the bill:

- Provisions authorizing the funding of eligible FES-UA students on the wait-list from remaining tax credit revenue from the FTC or Hope Scholarship Programs.
- Provisions regarding teacher salary allocation flexibility.

CS by Appropriations Committee on Education on March 8, 2023:

The committee substitute authorizes the Commissioner of Education to deny an owner, officer or director to participate in the state school scholarship program if the individual has operated an educational institution that closed during the school year. Such individual may be removed from the disqualification list if the individual reimburses the DOE or eligible nonprofit scholarship-funding organization the amount of the scholarship funds received by the educational institution during the school year in which it closed.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/16/2023	.	
	.	
	.	
	.	

The Committee on Appropriations (Simon) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (1) of subsection (2) of section
11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(1) At least once every 3 years, conduct operational audits
of the accounts and records of eligible nonprofit scholarship-



11 funding organizations receiving eligible contributions under s.
12 1002.395, including any contracts for services with related
13 entities, to determine compliance with the provisions of that
14 section. Such audits shall include, but not be limited to, a
15 determination of the eligible nonprofit scholarship-funding
16 organization's compliance with s. 1002.395(6)(1) ~~s.~~
17 ~~1002.395(6)(j)~~. The Auditor General shall provide its report on
18 the results of the audits to the Governor, the President of the
19 Senate, the Speaker of the House of Representatives, the Chief
20 Financial Officer, and the Legislative Auditing Committee,
21 within 30 days of completion of the audit.

22
23 The Auditor General shall perform his or her duties
24 independently but under the general policies established by the
25 Legislative Auditing Committee. This subsection does not limit
26 the Auditor General's discretionary authority to conduct other
27 audits or engagements of governmental entities as authorized in
28 subsection (3).

29 Section 2. Paragraph (c) of subsection (1) and paragraph
30 (c) of subsection (7) of section 212.099, Florida Statutes, are
31 amended to read:

32 212.099 Credit for contributions to eligible nonprofit
33 scholarship-funding organizations.—

34 (1) As used in this section, the term:

35 (c) "Eligible nonprofit scholarship-funding organization"
36 or "organization" has the same meaning as provided in s.
37 1002.395(2) ~~s. 1002.395(2)(f)~~.

38 (7)

39 (c) The organization may, subject to the limitations of s.



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40 1002.395(6)(1)1. ~~s. 1002.395(6)(j)1.~~, use eligible contributions
41 received during the state fiscal year in which such
42 contributions are collected for administrative expenses.

43 Section 3. Paragraph (c) of subsection (1) of section
44 327.371, Florida Statutes, is amended to read:

45 327.371 Human-powered vessels regulated.—

46 (1) A person may operate a human-powered vessel within the
47 boundaries of the marked channel of the Florida Intracoastal
48 Waterway as defined in s. 327.02:

49 (c) When participating in practices or competitions for
50 interscholastic, intercollegiate, intramural, or club rowing
51 teams affiliated with an educational institution identified in
52 s. 1000.21, s. 1002.01(3) ~~s. 1002.01(2)~~, s. 1003.01(2), s.
53 1005.02(4), or s. 1005.03(1)(d), if the adjacent area outside of
54 the marked channel is not suitable for such practice or
55 competition. The teams must use their best efforts to make use
56 of the adjacent area outside of the marked channel. The
57 commission must be notified in writing of the details of any
58 such competition, and the notification must include, but need
59 not be limited to, the date, time, and location of the
60 competition.

61 Section 4. Section 1002.01, Florida Statutes, is amended to
62 read:

63 1002.01 Definitions.—

64 (1) A "home education program" means the sequentially
65 progressive instruction of a student directed by his or her
66 parent ~~in order~~ to satisfy the attendance requirements of ss.
67 1002.41, 1003.01(13), and 1003.21(1).

68 (2) A "personalized education program" means the



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69 sequentially progressive instruction of a student directed by
70 his or her parent to satisfy the attendance requirements of ss.
71 1003.01(13) and 1003.21(1) while registered with an eligible
72 nonprofit scholarship-funding organization pursuant to s.
73 1002.395. A personalized education student shall be provided the
74 same flexibility and opportunities as provided in s. 1002.41(3)-
75 (12).

76 (3)~~(2)~~ A "private school" is a nonpublic school defined as
77 an individual, association, copartnership, or corporation, or
78 department, division, or section of such organizations, that
79 designates itself as an educational center that includes
80 kindergarten or a higher grade or as an elementary, secondary,
81 business, technical, or trade school below college level or any
82 organization that provides instructional services that meet the
83 intent of s. 1003.01(13) or that gives preemployment or
84 supplementary training in technology or in fields of trade or
85 industry or that offers academic, literary, or career training
86 below college level, or any combination of the above, including
87 an institution that performs the functions of the above schools
88 through correspondence or extension, except those licensed under
89 the provisions of chapter 1005. A private school may be a
90 parochial, religious, denominational, for-profit, or nonprofit
91 school. This definition does not include home education programs
92 conducted in accordance with s. 1002.41.

93 Section 5. Present paragraphs (b) through (m) of subsection
94 (2) of section 1002.394, Florida Statutes, are redesignated as
95 paragraphs (c) through (n), respectively, a new paragraph (b) is
96 added to subsection (2), paragraph (c) is added to subsection
97 (8), and paragraph (d) is added to subsection (9) of that



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98 section, and present paragraphs (e), (f), and (g) of subsection
99 (2), paragraph (a) of subsection (3), subsection (4), paragraph
100 (a) of subsection (5), paragraph (f) of subsection (6),
101 paragraphs (b), (d), (f), and (g) of subsection (7), paragraph
102 (a) of subsection (8), paragraphs (a) and (b) of subsection
103 (10), paragraph (a) of subsection (11), and subsection (12) are
104 amended, to read:

105 1002.394 The Family Empowerment Scholarship Program.—

106 (2) DEFINITIONS.—As used in this section, the term:

107 (b) "Choice navigator" has the same meaning as in s.

108 1002.395(2).

109 (f)~~(e)~~ "Eligible nonprofit scholarship-funding
110 organization" or "organization" has the same meaning as ~~provided~~
111 in s. 1002.395(2) ~~s. 1002.395(2)(f)~~.

112 (g)~~(f)~~ "Eligible postsecondary educational institution"
113 means a Florida College System institution; a state university;
114 a school district technical center; a school district adult
115 general education center; an independent college or university
116 that is eligible to participate in the William L. Boyd, IV,
117 Effective Access to Student Education Grant Program under s.
118 1009.89; or an accredited independent postsecondary educational
119 institution, as defined in s. 1005.02, which is licensed to
120 operate in this state under part III of chapter 1005 or is
121 approved to participate in a reciprocity agreement as defined in
122 s. 1000.35(2).

123 (h)~~(g)~~ "Eligible private school" has the same meaning as
124 ~~provided~~ in s. 1002.395(2) ~~s. 1002.395(2)(g)~~.

125 (3) SCHOLARSHIP ELIGIBILITY.—

126 (a) 1. A parent of a student may request and receive from



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127 the state a scholarship for the purposes specified in paragraph
128 (4) (a) if the student is a resident of this state and is
129 eligible to enroll in kindergarten through grade 12 in a public
130 school in this state.†

131 ~~1. The student is on the direct certification list pursuant~~
132 ~~to s. 1002.395(2) (c) or the student's household income level~~
133 ~~does not exceed 185 percent of the federal poverty level;~~

134 ~~2. The student is currently placed, or during the previous~~
135 ~~state fiscal year was placed, in foster care or in out-of-home~~
136 ~~care as defined in s. 39.01;~~

137 ~~3. The student's household income level does not exceed 375~~
138 ~~percent of the federal poverty level or an adjusted maximum~~
139 ~~percent of the federal poverty level that is increased by 25~~
140 ~~percentage points in the fiscal year following any fiscal year~~
141 ~~in which more than 5 percent of the available scholarships~~
142 ~~authorized under paragraph (12) (a) have not been funded;~~

143 ~~4. The student is a sibling of a student who is~~
144 ~~participating in the scholarship program under this subsection~~
145 ~~and such siblings reside in the same household;~~

146 ~~5. The student is a dependent child of a member of the~~
147 ~~United States Armed Forces; or~~

148 ~~6. The student is a dependent child of a law enforcement~~
149 ~~officer.~~

150 2. Priority must be given in the following order: to

151 a. A student whose household income level does not exceed
152 185 percent of the federal poverty level or who is in foster
153 care or out-of-home care.

154 b. A student whose household income level exceeds 185
155 percent of the federal poverty level, but does not exceed 400



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156 percent of the federal poverty level.

157 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

158 (a) Program funds awarded to a student determined eligible
159 pursuant to paragraph (3) (a) may be used for:

160 1. Tuition and fees at an eligible private school. ~~;~~ ~~or~~

161 2. Transportation to a Florida public school in which a
162 student is enrolled and that is different from the school to
163 which the student was assigned or to a lab school as defined in
164 s. 1002.32.

165 3. Instructional materials, including digital materials and
166 Internet resources.

167 4. Curriculum as defined in subsection (2).

168 5. Tuition and fees associated with full-time or part-time
169 enrollment in an eligible postsecondary educational institution
170 or a program offered by the postsecondary educational
171 institution, unless the program is subject to s. 1009.25 or
172 reimbursed pursuant to s. 1009.30; an approved preapprenticeship
173 program as defined in s. 446.021(5) which is not subject to s.
174 1009.25 and complies with all applicable requirements of the
175 department pursuant to chapter 1005; a private tutoring program
176 authorized under s. 1002.43; a virtual program offered by a
177 department-approved private online provider that meets the
178 provider qualifications specified in s. 1002.45(2) (a); the
179 Florida Virtual School as a private paying student; or an
180 approved online course offered pursuant to s. 1003.499 or s.
181 1004.0961.

182 6. Fees for nationally standardized, norm-referenced
183 achievement tests, Advanced Placement Examinations, industry
184 certification examinations, assessments related to postsecondary



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185 education, or other assessments.

186 7. Contracted services provided by a public school or
187 school district, including classes. A student who receives
188 contracted services under this subparagraph is not considered
189 enrolled in a public school for eligibility purposes as
190 specified in subsection (6) but rather attending a public school
191 on a part-time basis as authorized under s. 1002.44.

192 8. Tuition and fees for part-time tutoring services or fees
193 for services provided by a choice navigator. Such services must
194 be provided by a person who holds a valid Florida educator's
195 certificate pursuant to s. 1012.56, a person who holds an
196 adjunct teaching certificate pursuant to s. 1012.57, a person
197 who has a bachelor's degree or a graduate degree in the subject
198 area in which instruction is given, a person who has
199 demonstrated a mastery of subject area knowledge pursuant to s.
200 1012.56(5), or a person certified by a nationally or
201 internationally recognized research-based training program as
202 approved by the department. As used in this subparagraph, the
203 term "part-time tutoring services" does not qualify as regular
204 school attendance as defined in s. 1003.01(13)(e) ~~if the student~~
205 ~~is determined eligible pursuant to subparagraph (3)(a)1. or~~
206 ~~subparagraph (3)(a)2.~~

207 (b) Program funds awarded to a student with a disability
208 determined eligible pursuant to paragraph (3)(b) may be used for
209 the following purposes:

210 1. Instructional materials, including digital devices,
211 digital periphery devices, and assistive technology devices that
212 allow a student to access instruction or instructional content
213 and training on the use of and maintenance agreements for these



214 devices.

215 2. Curriculum as defined in subsection (2).

216 3. Specialized services by approved providers or by a
217 hospital in this state which are selected by the parent. These
218 specialized services may include, but are not limited to:

219 a. Applied behavior analysis services as provided in ss.
220 627.6686 and 641.31098.

221 b. Services provided by speech-language pathologists as
222 defined in s. 468.1125(8).

223 c. Occupational therapy as defined in s. 468.203.

224 d. Services provided by physical therapists as defined in
225 s. 486.021(8).

226 e. Services provided by listening and spoken language
227 specialists and an appropriate acoustical environment for a
228 child who has a hearing impairment, including deafness, and who
229 has received an implant or assistive hearing device.

230 4. Tuition and ~~or~~ fees associated with full-time or part-
231 time enrollment in a home education program;; an eligible
232 private school;; an eligible postsecondary educational
233 institution or a program offered by the postsecondary
234 educational institution, unless the program is subject to s.
235 1009.25 or reimbursed pursuant to s. 1009.30; an approved
236 preapprenticeship program as defined in s. 446.021(5) which is
237 not subject to s. 1009.25 and complies with all applicable
238 requirements of the department pursuant to chapter 1005; a
239 private tutoring program authorized under s. 1002.43;; a virtual
240 program offered by a department-approved private online provider
241 that meets the provider qualifications specified in s.
242 1002.45(2)(a);; the Florida Virtual School as a private paying



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243 student;7 or an approved online course offered pursuant to s.
244 1003.499 or s. 1004.0961.

245 5. Fees for nationally standardized, norm-referenced
246 achievement tests, Advanced Placement Examinations, industry
247 certification examinations, assessments related to postsecondary
248 education, or other assessments.

249 6. Contributions to the Stanley G. Tate Florida Prepaid
250 College Program pursuant to s. 1009.98 or the Florida College
251 Savings Program pursuant to s. 1009.981 for the benefit of the
252 eligible student.

253 7. Contracted services provided by a public school or
254 school district, including classes. A student who receives
255 services under a contract under this paragraph is not considered
256 enrolled in a public school for eligibility purposes as
257 specified in subsection (6) but rather attending a public school
258 on a part-time basis as authorized under s. 1002.44.

259 8. Tuition and fees for part-time tutoring services or fees
260 for services provided by a choice navigator. Such services must
261 be provided by a person who holds a valid Florida educator's
262 certificate pursuant to s. 1012.56, a person who holds an
263 adjunct teaching certificate pursuant to s. 1012.57, a person
264 who has a bachelor's degree or a graduate degree in the subject
265 area in which instruction is given, a person who has
266 demonstrated a mastery of subject area knowledge pursuant to s.
267 1012.56(5), or a person certified by a nationally or
268 internationally recognized research-based training program as
269 approved by the department. As used in this subparagraph
270 paragraph, the term "part-time tutoring services" does not
271 qualify as regular school attendance as defined in s.



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272 1003.01(13)(e).

273 9. Fees for specialized summer education programs.

274 10. Fees for specialized after-school education programs.

275 11. Transition services provided by job coaches.

276 12. Fees for an annual evaluation of educational progress

277 by a state-certified teacher under s. 1002.41(1)(f), if this

278 option is chosen for a home education student.

279 13. Tuition and fees associated with programs offered by

280 Voluntary Prekindergarten Education Program providers approved

281 pursuant to s. 1002.55 and school readiness providers approved

282 pursuant to s. 1002.88.

283 14. Fees for services provided at a center that is a member

284 of the Professional Association of Therapeutic Horsemanship

285 International.

286 15. Fees for services provided by a therapist who is

287 certified by the Certification Board for Music Therapists or

288 credentialed by the Art Therapy Credentials Board, Inc.

289 (5) TERM OF SCHOLARSHIP.—For purposes of continuity of

290 educational choice:

291 (a)1. A scholarship awarded to an eligible student pursuant

292 to paragraph (3)(a) shall remain in force until:

293 a. The organization determines that the student is not

294 eligible for program renewal;

295 b. The Commissioner of Education suspends or revokes

296 program participation or use of funds;

297 c. The student's parent has forfeited participation in the

298 program for failure to comply with subsection (10);

299 d. The student enrolls in a public school. However, if a

300 student enters a Department of Juvenile Justice detention center



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301 for a period of no more than 21 days, the student is not
302 considered to have returned to a public school on a full-time
303 basis for that purpose; or

304 e. The student graduates from high school or attains 21
305 years of age, whichever occurs first.

306 2.a. The student's scholarship account must be closed and
307 any remaining funds shall revert to the state after:

308 (I) Denial or revocation of program eligibility by the
309 commissioner for fraud or abuse, including, but not limited to,
310 the student or student's parent accepting any payment, refund,
311 or rebate, in any manner, from a provider of any services
312 received pursuant to paragraph (4) (a); or

313 (II) Two consecutive fiscal years in which an account has
314 been inactive.

315 b. Reimbursements for program expenditures may continue
316 until the account balance is expended or remaining funds have
317 reverted to the state ~~student returns to a public school,~~
318 ~~graduates from high school, or reaches the age of 21, whichever~~
319 ~~occurs first. A scholarship student who enrolls in a public~~
320 ~~school or public school program is considered to have returned~~
321 ~~to a public school for the purpose of determining the end of the~~
322 ~~scholarship's term. However, if a student enters a Department of~~
323 ~~Juvenile Justice detention center for a period of no more than~~
324 ~~21 days, the student is not considered to have returned to a~~
325 ~~public school for that purpose.~~

326 (6) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
327 a Family Empowerment Scholarship while he or she is:

328 (f) Participating in virtual instruction pursuant to s.
329 1002.455 that receives state funding pursuant to the student's



330 participation.

331 (7) SCHOOL DISTRICT OBLIGATIONS.—

332 (b)1. The parent of a student with a disability who does
333 not have an IEP in accordance with subparagraph (3)(b)4. or who
334 seeks a reevaluation of an existing IEP may request an IEP
335 meeting and evaluation from the school district in order to
336 obtain or revise a matrix of services. The school district shall
337 notify a parent who has made a request for an IEP that the
338 district is required to complete the IEP and matrix of services
339 within 30 days after receiving notice of the parent's request.
340 The school district shall conduct a meeting and develop an IEP
341 and a matrix of services within 30 days after receipt of the
342 parent's request in accordance with State Board of Education
343 rules. The district must accept the diagnosis and consider the
344 service plan of the licensed professional providing the
345 diagnosis pursuant to subparagraph (3)(b)4. The school district
346 must complete a matrix that assigns the student to one of the
347 levels of service as they existed before the 2000-2001 school
348 year. For a nonpublic school student without an IEP, the school
349 district is authorized to use evaluation reports and plans of
350 care developed by the licensed professionals under subparagraph
351 (4)(b)3. to complete the matrix of services.

352 2.a. The school district must provide the student's parent
353 and the department with the student's matrix level within 10
354 calendar days after its completion.

355 b. The department shall notify the parent and the
356 organization of the amount of the funds awarded within 10 days
357 after receiving the school district's notification of the
358 student's matrix level.



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359 c. A school district may change a matrix of services only
360 if the change is a result of an IEP reevaluation or to correct a
361 technical, typographical, or calculation error.

362 ~~(d) The school district in which a participating student~~
363 ~~resides must notify the student and his or her parent about the~~
364 ~~locations and times to take all statewide assessments under s.~~
365 ~~1008.22 if the student chooses to participate in such~~
366 ~~assessments.~~ Upon the request of the department, a school
367 district shall coordinate with the department to provide to a
368 participating private school the statewide assessments
369 administered under s. 1008.22 and any related materials for
370 administering the assessments. For a student who participates in
371 the Family Empowerment Scholarship Program whose parent requests
372 that the student take the statewide assessments under s.
373 1008.22, the district in which the student attends a private
374 school shall provide locations and times to take all statewide
375 assessments. A school district is responsible for implementing
376 test administrations at a participating private school,
377 including the:

- 378 1. Provision of training for private school staff on test
379 security and assessment administration procedures;
380 2. Distribution of testing materials to a private school;
381 3. Retrieval of testing materials from a private school;
382 4. Provision of the required format for a private school to
383 submit information to the district for test administration and
384 enrollment purposes; and
385 5. Provision of any required assistance, monitoring, or
386 investigation at a private school.

387 ~~(f) A school district shall report all students who are~~



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388 ~~receiving a scholarship under this program. Students receiving a~~
389 ~~scholarship shall be reported separately from other students~~
390 ~~reported for purposes of the Florida Education Finance Program.~~

391 ~~(g) A school district shall be held harmless for students~~
392 ~~who are receiving a scholarship under this program from the~~
393 ~~weighted enrollment ceiling for group 2 programs in s.~~
394 ~~1011.62(1)(d)3.b. during the first school year in which the~~
395 ~~students are reported.~~

396 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

397 (a) The department shall:

398 1. Publish and update, as necessary, information on the
399 department website about the Family Empowerment Scholarship
400 Program, including, but not limited to, student eligibility
401 criteria, parental responsibilities, and relevant data.

402 2. Report, as part of the determination of full-time
403 equivalent membership pursuant to s. 1011.62(1)(a), all students
404 who are receiving a scholarship under the program and are funded
405 through the Florida Education Finance Program, and cross-check
406 the list of participating scholarship students with the public
407 school enrollment lists to avoid duplication.

408 3. Maintain and annually publish a list of nationally norm-
409 referenced tests identified for purposes of satisfying the
410 testing requirement in subparagraph (9)(c)1. The tests must meet
411 industry standards of quality in accordance with state board
412 rule.

413 4. Notify eligible nonprofit scholarship-funding
414 organizations of the deadlines for submitting the verified list
415 of students determined to be eligible for a scholarship. An
416 eligible nonprofit scholarship-funding organization may not



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417 submit a student for funding after February 1.
418 ~~5. Notify each school district of a parent's participation~~
419 ~~in the scholarship program for purposes of paragraph (7) (f).~~
420 ~~5.6.~~ Deny or terminate program participation upon a
421 parent's failure to comply with subsection (10).
422 ~~6.7.~~ Notify the parent and the organization when a
423 scholarship account is closed and program funds revert to the
424 state.
425 ~~7.8.~~ Notify an eligible nonprofit scholarship-funding
426 organization of any of the organization's or other
427 organization's identified students who are receiving
428 scholarships under this chapter.
429 ~~8.9.~~ Maintain on its website a list of approved providers
430 as required by s. 1002.66, eligible postsecondary educational
431 institutions, eligible private schools, and eligible
432 organizations and may identify or provide links to lists of
433 other approved providers.
434 ~~9.10.~~ Require each organization to verify eligible
435 expenditures before the distribution of funds for any
436 expenditures made pursuant to subparagraphs (4) (b)1. and 2.
437 Review of expenditures made for services specified in
438 subparagraphs (4) (b)3.-15. may be completed after the purchase
439 is made.
440 ~~10.11.~~ Investigate any written complaint of a violation of
441 this section by a parent, a student, a private school, a public
442 school, a school district, an organization, a provider, or
443 another appropriate party in accordance with the process
444 established under s. 1002.421.
445 ~~11.12.~~ Require quarterly reports by an organization, which



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446 must include, at a minimum, the number of students participating
447 in the program; the demographics of program participants; the
448 disability category of program participants; the matrix level of
449 services, if known; the program award amount per student; the
450 total expenditures for the purposes specified in paragraph
451 (4) (b); the types of providers of services to students; and any
452 other information deemed necessary by the department.

453 ~~12.13.~~ Notify eligible nonprofit scholarship-funding
454 organizations that scholarships may not be awarded in a school
455 district in which the award will exceed 99 percent of the school
456 district's share of state funding through the Florida Education
457 Finance Program as calculated by the department.

458 ~~13.14.~~ Adjust payments to eligible nonprofit scholarship-
459 funding organizations and, when the Florida Education Finance
460 Program is recalculated, adjust the amount of state funds
461 allocated to school districts through the Florida Education
462 Finance Program based upon the results of the cross-check
463 completed pursuant to subparagraph 2.

464 (c) The department shall notify each school district of the
465 full-time equivalent student consensus estimate of students
466 participating in the program developed pursuant to s.
467 216.136(4) (a).

468 (9) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be
469 eligible to participate in the Family Empowerment Scholarship
470 Program, a private school may be sectarian or nonsectarian and
471 must:

472 (d) For a student determined eligible pursuant to paragraph
473 (3) (b), discuss the school's academic programs and policies,
474 specialized services, code of conduct, and attendance policies



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475 before enrollment with the parent to determine which programs
476 and services may meet the student's individual needs.

477

478 If a private school fails to meet the requirements of this
479 subsection or s. 1002.421, the commissioner may determine that
480 the private school is ineligible to participate in the
481 scholarship program.

482 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
483 PARTICIPATION.—

484 (a) A parent who applies for program participation under
485 paragraph (3) (a) whose student will be enrolled full time ~~is~~
486 ~~exercising his or her parental option to place his or her child~~
487 in a private school ~~and~~ must:

488 1. Select the private school and apply for the admission of
489 his or her student.

490 2. Request the scholarship by a date established by the
491 organization, in a manner that creates a written or electronic
492 record of the request and the date of receipt of the request.

493 3. Inform the applicable school district when the parent
494 withdraws his or her student from a public school to attend an
495 eligible private school.

496 4. Require his or her student participating in the program
497 to remain in attendance throughout the school year unless
498 excused by the school for illness or other good cause.

499 5. Meet with the private school's principal or the
500 principal's designee to review the school's academic programs
501 and policies, specialized services ~~customized educational~~
502 ~~programs~~, code of student conduct, and attendance policies
503 before ~~prior to~~ enrollment.



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504 6. Require that the student participating in the
505 scholarship program takes the norm-referenced assessment offered
506 by the private school. The parent may also choose to have the
507 student participate in the statewide assessments pursuant to
508 paragraph (7) (d). If the parent requests that the student
509 participating in the program take all statewide assessments
510 required pursuant to s. 1008.22, the parent is responsible for
511 transporting the student to the assessment site designated by
512 the school district.

513 7. Approve each payment before the scholarship funds may be
514 deposited by funds transfer ~~Restrictively endorse the warrant,~~
515 ~~issued in the name of the parent~~ pursuant to subparagraph
516 (12) (a) 4. (12) (a) 6., to the private school for deposit into the
517 ~~private school's account.~~ The parent may not designate any
518 entity or individual associated with the participating private
519 school as the parent's attorney in fact to approve a funds
520 transfer. A participant who fails to comply with this paragraph
521 forfeits the ~~endorse a scholarship warrant.~~

522 8. Agree to have the organization commit scholarship funds
523 on behalf of his or her student for tuition and fees for which
524 the parent is responsible for payment at the private school
525 before using empowerment account funds for additional authorized
526 uses under paragraph (4) (a). A parent is responsible for all
527 eligible expenses in excess of the amount of the scholarship.

528 (b) A parent who applies for program participation under
529 paragraph (3) (b) is exercising his or her parental option to
530 determine the appropriate placement or the services that best
531 meet the needs of his or her child and must:

532 1. Apply to an eligible nonprofit scholarship-funding



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533 organization to participate in the program by a date set by the
534 organization. The request must be communicated directly to the
535 organization in a manner that creates a written or electronic
536 record of the request and the date of receipt of the request.

537 2. Sign an agreement with the organization and annually
538 submit a sworn compliance statement to the organization to
539 satisfy or maintain program eligibility, including eligibility
540 to receive and spend program payments by:

541 a. Affirming that the student is enrolled in a program that
542 meets regular school attendance requirements as provided in s.
543 1003.01(13)(b), (c), or (d).

544 b. Affirming that the program funds are used only for
545 authorized purposes serving the student's educational needs, as
546 described in paragraph (4)(b); that any prepaid college plan or
547 college savings plan funds contributed pursuant to subparagraph
548 (4)(b)6. will not be transferred to another beneficiary while
549 the plan contains funds contributed pursuant to this section;
550 and that they will not receive a payment, refund, or rebate of
551 any funds provided under this section.

552 c. Affirming that the parent is responsible for all
553 eligible expenses in excess of the amount of the scholarship and
554 for the education of his or her student by, as applicable:

555 (I) Requiring the student to take an assessment in
556 accordance with paragraph (9)(c);

557 (II) Providing an annual evaluation in accordance with s.
558 1002.41(1)(f); or

559 (III) Requiring the child to take any preassessments and
560 postassessments selected by the provider if the child is 4 years
561 of age and is enrolled in a program provided by an eligible



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562 Voluntary Prekindergarten Education Program provider. A student
563 with disabilities for whom the physician or psychologist who
564 issued the diagnosis or the IEP team determines that a
565 preassessment and postassessment is not appropriate is exempt
566 from this requirement. A participating provider shall report a
567 student's scores to the parent.

568 d. Affirming that the student remains in good standing with
569 the provider or school if those options are selected by the
570 parent.

571 e. Enrolling his or her child in a program from a Voluntary
572 Prekindergarten Education Program provider authorized under s.
573 1002.55, a school readiness provider authorized under s.
574 1002.88, or an eligible private school if either option is
575 selected by the parent.

576 f. Renewing participation in the program each year. A
577 student whose participation in the program is not renewed may
578 continue to spend scholarship funds that are in his or her
579 account from prior years unless the account must be closed
580 pursuant to subparagraph (5)(b)3. Notwithstanding any changes to
581 the student's IEP, a student who was previously eligible for
582 participation in the program shall remain eligible to apply for
583 renewal. However, for a high-risk child to continue to
584 participate in the program in the school year after he or she
585 reaches 6 years of age, the child's application for renewal of
586 program participation must contain documentation that the child
587 has a disability defined in paragraph (2)(e) ~~paragraph (2)(d)~~
588 other than high-risk status.

589 g. Procuring the services necessary to educate the student.
590 If such services include enrollment in an eligible private



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591 school, the parent must meet with the private school's principal
592 or the principal's designee to review the school's academic
593 programs and policies, specialized services, code of student
594 conduct, and attendance policies before his or her student is
595 enrolled ~~If a parent does not procure the necessary educational~~
596 ~~services for the student and the student's account has been~~
597 ~~inactive for 2 consecutive fiscal years, the student is~~
598 ~~ineligible for additional scholarship payments until the~~
599 ~~scholarship-funding organization verifies that expenditures from~~
600 ~~the account have occurred.~~ When the student receives a
601 scholarship, the district school board is not obligated to
602 provide the student with a free appropriate public education.
603 For purposes of s. 1003.57 and the Individuals with Disabilities
604 in Education Act, a participating student has only those rights
605 that apply to all other unilaterally parentally placed students,
606 except that, when requested by the parent, school district
607 personnel must develop an IEP or matrix level of services.

608 (11) OBLIGATIONS OF ELIGIBLE SCHOLARSHIP-FUNDING
609 ORGANIZATIONS.—

610 (a) An eligible nonprofit scholarship-funding organization
611 awarding scholarships to eligible students pursuant to paragraph
612 (3) (a):

613 1. Must receive applications, determine student
614 eligibility, notify parents in accordance with the requirements
615 of this section, and provide the department with information on
616 the student to enable the department to determine student
617 funding in accordance with paragraph (12) (a).

618 2. Shall verify the household income level of students
619 ~~pursuant to subparagraph (3) (a)1.~~ and submit the verified list



620 of students and related documentation to the department when
621 necessary.

622 3. Shall award scholarships in priority order pursuant to
623 paragraph (3) (a).

624 4. Shall establish and maintain separate empowerment
625 accounts for each eligible student. For each account, the
626 organization must maintain a record of accrued interest that is
627 retained in the student's account and available only for
628 authorized program expenditures.

629 5. May permit eligible students to use program funds for
630 the purposes specified in paragraph (4) (a) by paying for the
631 authorized use directly, then submitting a reimbursement request
632 to the eligible nonprofit scholarship-funding organization.
633 However, an eligible nonprofit scholarship-funding organization
634 may require the use of an online platform for direct purchases
635 of products so long as such use does not limit a parent's choice
636 of curriculum or academic programs. If a parent purchases a
637 product identical to one offered by an organization's online
638 platform for a lower price, the organization shall reimburse the
639 parent the cost of the product.

640 6. May, from eligible contributions received pursuant to s.
641 1002.395(6)(1)1. ~~s. 1002.395(6)(j)1.~~, use an amount not to
642 exceed 2.5 percent of the total amount of all scholarships
643 funded under this section for administrative expenses associated
644 with performing functions under this section. An eligible
645 nonprofit scholarship-funding organization that has, for the
646 prior fiscal year, complied with the expenditure requirements of
647 s. 1002.395(6)(1)2., may use an amount not to exceed 3 percent.
648 Such administrative expense amount is considered within the 3



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649 percent limit on the total amount an organization may use to
650 administer scholarships under this chapter.

651 ~~7.5.~~ Must, in a timely manner, submit any information
652 requested by the department relating to the scholarship under
653 this section.

654 ~~8.6.~~ Must notify the department about any violation of this
655 section ~~by a parent or a private school.~~

656 9. Must document each student's eligibility for a fiscal
657 year before granting a scholarship for that fiscal year. A
658 student is ineligible for a scholarship if the student's account
659 has been inactive for 2 consecutive fiscal years.

660 10. Must notify each parent that participation in the
661 scholarship program does not guarantee enrollment.

662 11. Shall commit scholarship funds on behalf of the student
663 for tuition and fees for which the parent is responsible for
664 payment at the private school before using empowerment account
665 funds for additional authorized uses under paragraph (4) (a).

666 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

667 (a)1. Scholarships for students determined eligible
668 pursuant to paragraph (3) (a) may be funded once all scholarships
669 have been funded in accordance with s. 1002.395(6)(1)2. are
670 established for up to 18,000 students annually beginning in the
671 2019-2020 school year. Beginning in the 2020-2021 school year,
672 the maximum number of students participating in the scholarship
673 program under this section shall annually increase by 1.0
674 percent of the state's total full-time equivalent student
675 membership. An eligible student who meets any of the following
676 requirements shall be excluded from the maximum number of
677 students if the student:



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678 ~~a. Is a dependent child of a law enforcement officer or a~~
679 ~~member of the United States Armed Forces, a foster child, or an~~
680 ~~adopted child; or~~

681 ~~b. Is determined eligible pursuant to subparagraph (3)(a)1.~~
682 ~~or subparagraph (3)(a)2. and either spent the prior school year~~
683 ~~in attendance at a Florida public school; or, beginning in the~~
684 ~~2022-2023 school year, is eligible to enroll in kindergarten.~~
685 ~~For purposes of this subparagraph, the term "prior school year~~
686 ~~in attendance" means that the student was enrolled and reported~~
687 ~~by a school district for funding during either the preceding~~
688 ~~October or February full-time equivalent student membership~~
689 ~~surveys in kindergarten through grade 12, which includes time~~
690 ~~spent in a Department of Juvenile Justice commitment program if~~
691 ~~funded under the Florida Education Finance Program.~~

692 ~~2. The scholarship amount provided to a student for any~~
693 ~~single school year shall be for tuition and fees for an eligible~~
694 ~~private school, not to exceed annual limits, which shall be~~
695 ~~determined in accordance with this subparagraph. The calculated~~
696 ~~scholarship amount for a participating student determined~~
697 ~~eligible pursuant to paragraph (3)(a) shall be based upon the~~
698 ~~grade level and school district in which the student was~~
699 ~~assigned as 100 percent of the funds per unweighted full-time~~
700 ~~equivalent in the Florida Education Finance Program for a~~
701 ~~student in the basic program established pursuant to s.~~
702 ~~1011.62(1)(c)1., plus a per-full-time equivalent share of funds~~
703 ~~for all categorical programs, except for the exceptional student~~
704 ~~education guaranteed allocation established pursuant to s.~~
705 ~~1011.62(1)(e).~~

706 ~~3. The amount of the scholarship shall be the calculated~~



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707 ~~amount or the amount of the private school's tuition and fees,~~
708 ~~whichever is less. The amount of any assessment fee required by~~
709 ~~the participating private school and any costs to provide a~~
710 ~~digital device, including Internet access, if necessary, to the~~
711 ~~student may be paid from the total amount of the scholarship.~~

712 2.4. A scholarship of \$750 or an amount equal to the school
713 district expenditure per student riding a school bus, as
714 determined by the department, whichever is greater, may be
715 awarded to an eligible a student who is ~~determined eligible~~
716 ~~pursuant to subparagraph (3) (a)1. or subparagraph (3) (a)2. and~~
717 enrolled in a Florida public school that is different from the
718 school to which the student was assigned or in a lab school as
719 defined in s. 1002.32 if the school district does not provide
720 the student with transportation to the school.

721 3.5. The organization must provide the department with the
722 documentation necessary to verify the student's participation.
723 Upon receiving the documentation, the department shall transfer,
724 beginning August 1, from state funds only, the amount calculated
725 pursuant to subparagraph 2. to the organization for quarterly
726 disbursement to parents of participating students each school
727 year in which the scholarship is in force. For a student exiting
728 a Department of Juvenile Justice commitment program who chooses
729 to participate in the scholarship program, the amount of the
730 Family Empowerment Scholarship calculated pursuant to
731 subparagraph 2. must be transferred from the school district in
732 which the student last attended a public school before
733 commitment to the Department of Juvenile Justice. When a student
734 enters the scholarship program, the organization must receive
735 all documentation required for the student's participation,



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736 including the private school's and the student's fee schedules,
737 at least 30 days before the first quarterly scholarship payment
738 is made for the student.

739 ~~4.6.~~ The initial payment shall be made after the
740 organization's verification of admission acceptance, and
741 subsequent payments shall be made upon verification of continued
742 enrollment and attendance at the private school. Payment must be
743 ~~by individual warrant made payable to the student's parent or by~~
744 funds transfer or any other means of payment that the department
745 deems to be commercially viable or cost-effective. ~~If the~~
746 ~~payment is made by warrant, the warrant must be delivered by the~~
747 ~~organization to the private school of the parent's choice, and~~
748 ~~the parent shall restrictively endorse the warrant to the~~
749 ~~private school.~~ An organization shall ensure that the parent ~~to~~
750 ~~whom the warrant is made has restrictively endorsed the warrant~~
751 ~~to the private school for deposit into the account of the~~
752 ~~private school or that the parent has approved a funds transfer~~
753 before any scholarship funds are deposited.

754 5. An organization may not transfer any funds to an account
755 of a student determined eligible pursuant to paragraph (3) (a)
756 which has a balance in excess of \$24,000.

757 (b)1. Scholarships for students determined eligible
758 pursuant to paragraph (3) (b) are established for up to 26,500
759 students annually beginning in the 2022-2023 school year.
760 Beginning in the 2023-2024 school year, the maximum number of
761 students participating in the scholarship program under this
762 section shall annually increase by 3.0 ~~1.0~~ percent of the
763 state's total exceptional student education full-time equivalent
764 student membership, not including gifted students. An eligible



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765 student who meets any of the following requirements shall be
766 excluded from the maximum number of students if the student:

767 a. Received specialized instructional services under the
768 Voluntary Prekindergarten Education Program pursuant to s.
769 1002.66 during the previous school year and the student has a
770 current IEP developed by the district school board in accordance
771 with rules of the State Board of Education;

772 b. Is a dependent child of a law enforcement officer or a
773 member of the United States Armed Forces, a foster child, or an
774 adopted child; or

775 c. Spent the prior school year in attendance at a Florida
776 public school or the Florida School for the Deaf and the Blind.
777 For purposes of this subparagraph, the term "prior school year
778 in attendance" means that the student was enrolled and reported
779 by:

780 (I) A school district for funding during either the
781 preceding October or February full-time equivalent student
782 membership surveys in kindergarten through grade 12, which
783 includes time spent in a Department of Juvenile Justice
784 commitment program if funded under the Florida Education Finance
785 Program;

786 (II) The Florida School for the Deaf and the Blind during
787 the preceding October or February full-time equivalent student
788 membership surveys in kindergarten through grade 12;

789 (III) A school district for funding during the preceding
790 October or February full-time equivalent student membership
791 surveys, was at least 4 years of age when enrolled and reported,
792 and was eligible for services under s. 1003.21(1)(e); or

793 (IV) Received a John M. McKay Scholarship for Students with



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794 Disabilities in the 2021-2022 school year.

795 2. For a student who has a Level I to Level III matrix of
796 services or a diagnosis by a physician or psychologist, the
797 calculated scholarship amount for a student participating in the
798 program must be based upon the grade level and school district
799 in which the student would have been enrolled as the total funds
800 per unweighted full-time equivalent in the Florida Education
801 Finance Program for a student in the basic exceptional student
802 education program pursuant to s. 1011.62(1)(c)1. and (e)1.c.,
803 plus a per full-time equivalent share of funds for all
804 categorical programs, as funded in the General Appropriations
805 Act, except that for the exceptional student education
806 guaranteed allocation, as provided in s. 1011.62(1)(e)1.c. and
807 2., the funds must be allocated based on the school district's
808 average exceptional student education guaranteed allocation
809 funds per exceptional student education full-time equivalent
810 student.

811 3. For a student with a Level IV or Level V matrix of
812 services, the calculated scholarship amount must be based upon
813 the school district to which the student would have been
814 assigned as the total funds per full-time equivalent for the
815 Level IV or Level V exceptional student education program
816 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time
817 equivalent share of funds for all categorical programs, as
818 funded in the General Appropriations Act.

819 4. For a student who received a Gardiner Scholarship
820 pursuant to s. 1002.385 in the 2020-2021 school year, the amount
821 shall be the greater of the amount calculated pursuant to
822 subparagraph 2. or the amount the student received for the 2020-



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823 2021 school year.

824 5. For a student who received a John M. McKay Scholarship
825 pursuant to s. 1002.39 in the 2020-2021 school year, the amount
826 shall be the greater of the amount calculated pursuant to
827 subparagraph 2. or the amount the student received for the 2020-
828 2021 school year.

829 6. The organization must provide the department with the
830 documentation necessary to verify the student's participation.

831 7. Upon receiving the documentation, the department shall
832 release, from state funds only, the student's scholarship funds
833 to the organization, to be deposited into the student's account
834 in four equal amounts no later than September 1, November 1,
835 February 1, and April 1 of each school year in which the
836 scholarship is in force.

837 8. Accrued interest in the student's account is in addition
838 to, and not part of, the awarded funds. Program funds include
839 both the awarded funds and accrued interest.

840 9. The organization may develop a system for payment of
841 benefits by funds transfer, including, but not limited to, debit
842 cards, electronic payment cards, or any other means of payment
843 which the department deems to be commercially viable or cost-
844 effective. A student's scholarship award may not be reduced for
845 debit card or electronic payment fees. Commodities or services
846 related to the development of such a system must be procured by
847 competitive solicitation unless they are purchased from a state
848 term contract pursuant to s. 287.056.

849 10. An organization may not transfer any funds to an
850 account of a student determined to be eligible pursuant to
851 paragraph (3) (b) which has a balance in excess of \$50,000.



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852 ~~11.10.~~ Moneys received pursuant to this section do not
853 constitute taxable income to the qualified student or the parent
854 of the qualified student.

855 Section 6. Present paragraphs (b) through (f), (g) through
856 (i), and (j) and (k) of subsection (2) of section 1002.395,
857 Florida Statutes, are redesignated as paragraphs (c) through
858 (g), (i) through (k), and (o) and (p), respectively, paragraphs
859 (e) through (f) and (g) through (q) of subsection (6) are
860 redesignated as paragraphs (f) through (g) and (i) through (s),
861 respectively, new paragraphs (b), (h), (l), (m), and (n) are
862 added to subsection (2), new paragraphs (e) and (h) and
863 paragraphs (t) (u), (v), (w), and (x) are added to subsection
864 (6), paragraph (k) is added to subsection (9), and paragraphs
865 (e) through (h) are added to subsection (11) of that section,
866 and present paragraphs (e) and (g) of subsection (2), paragraph
867 (b) of subsection (3), subsection (4), paragraphs (b) and (d)
868 and present paragraphs (f), (j), and (o) of subsection (6),
869 subsection (7), paragraphs (a), (b), (c), (e), (f), and (j) of
870 subsection (9), paragraph (b) of subsection (11), and subsection
871 (15) are amended, to read:

872 1002.395 Florida Tax Credit Scholarship Program.—

873 (2) DEFINITIONS.—As used in this section, the term:

874 (b) “Choice navigator” means an individual who meets the
875 requirements of sub-subparagraph (6) (d) 2.h. and who provides
876 consultations, at a mutually agreed upon location, on the
877 selection of, application for, and enrollment in educational
878 options addressing the academic needs of a student; curriculum
879 selection; and advice on career and postsecondary education
880 opportunities. However, nothing in this section authorizes a



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881 choice navigator to oversee or exercise control over the
882 curricula or academic programs of a personalized education
883 program.

884 (f)~~(e)~~ "Eligible contribution" means a monetary
885 contribution from a taxpayer, subject to the restrictions
886 provided in this section, to an eligible nonprofit scholarship-
887 funding organization pursuant to ss. 212.099, 212.1832,
888 1002.395, and 1002.40. The taxpayer making the contribution may
889 not designate a specific child as the beneficiary of the
890 contribution.

891 (h) "Eligible postsecondary educational institution" means
892 a Florida College System institution; a state university; a
893 school district technical center; a school district adult
894 general education center; an independent college or university
895 eligible to participate in the William L. Boyd, IV, Effective
896 Access to Student Education Grant Program under s. 1009.89; or
897 an accredited independent postsecondary educational institution,
898 as defined in s. 1005.02, which is licensed to operate in this
899 state under part III of chapter 1005 or is approved to
900 participate in a reciprocity agreement as defined in s.
901 1000.35(2).

902 (i)~~(g)~~ "Eligible private school" means a private school, as
903 defined in s. 1002.01 ~~s. 1002.01(2)~~, located in Florida which
904 offers an education to students in any grades K-12 and that
905 meets the requirements in subsection (8).

906 (l) "Personalized education program" has the same meaning
907 as in s. 1002.01.

908 (m) "Personalized education student" means a student whose
909 parent applies to an eligible nonprofit scholarship-funding



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910 organization for participation in a personalized education
911 program.

912 (n) "Student learning plan" means a customized learning
913 plan developed by a parent, at least annually, to guide
914 instruction for his or her student and to identify the goods and
915 services needed to address the academic needs of his or her
916 student.

917 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

918 (b)1. A student is eligible for a Florida tax credit
919 scholarship under this section if the student is a resident of
920 this state and is eligible to enroll in kindergarten through
921 grade 12 in a public school in this state ~~meets one or more of~~
922 ~~the following criteria:~~

923 ~~1. The student is on the direct certification list or the~~
924 ~~student's household income level does not exceed 375 percent of~~
925 ~~the federal poverty level or an adjusted maximum percent of the~~
926 ~~federal poverty level authorized under s. 1002.394(3)(a)3.; or~~

927 ~~2. The student is currently placed, or during the previous~~
928 ~~state fiscal year was placed, in foster care or in out-of-home~~
929 ~~care as defined in s. 39.01.~~

930 2. Priority must be given in the following order: ~~to~~

931 a. A student whose household income level does not exceed
932 185 percent of the federal poverty level or who is in foster
933 care or out-of-home care.

934 b. A student whose household income level exceeds 185
935 percent of the federal poverty level, but does not exceed 400
936 percent of the federal poverty level. ~~who initially receives a~~
937 ~~scholarship based on eligibility under this paragraph remains~~
938 ~~eligible to participate until he or she graduates from high~~



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939 ~~school or attains the age of 21 years, whichever occurs first,~~
940 ~~regardless of the student's household income level. A sibling of~~
941 ~~a student who is participating in the scholarship program under~~
942 ~~this subsection is eligible for a scholarship if the student~~
943 ~~resides in the same household as the sibling.~~

944 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
945 a scholarship while he or she is:

946 (a) Enrolled in a public school, including, but not limited
947 to, the Florida School for the Deaf and the Blind, the College-
948 Preparatory Boarding Academy, a developmental research school
949 authorized under s. 1002.32, or a charter school authorized
950 under this chapter. For purposes of this paragraph, a 3- or 4-
951 year-old child who receives services funded through the Florida
952 Education Finance Program is considered a student enrolled in a
953 public school;

954 (b) ~~(a)~~ Enrolled in a school operating for the purpose of
955 providing educational services to youth in a Department of
956 Juvenile Justice commitment program ~~programs~~;

957 ~~(b) Receiving a scholarship from another eligible nonprofit~~
958 ~~scholarship-funding organization under this section;~~

959 (c) Receiving any other ~~an~~ educational scholarship pursuant
960 to this chapter;

961 (d) Not having regular and direct contact with his or her
962 private school teachers pursuant to s. 1002.421(1)(i) unless he
963 or she is enrolled in a personalized education program;

964 (e) ~~(d)~~ Participating in a home education program as defined
965 in s. 1002.01(1);

966 (f) ~~(e)~~ Participating in a private tutoring program pursuant
967 to s. 1002.43 unless he or she is enrolled in a personalized



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968 education program; or

969 (g) ~~(f)~~ Participating in a virtual instruction pursuant to
970 s. 1002.455 school, correspondence school, or distance learning
971 program that receives state funding pursuant to the student's
972 participation unless the participation is limited to no more
973 than two courses per school year; or

974 (g) Enrolled in the Florida School for the Deaf and the
975 Blind.

976 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
977 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
978 organization:

979 (b) Must comply with the following background check
980 requirements:

981 1. All owners and operators as defined in subparagraph
982 (2) (k) 1. ~~(2) (i) 1.~~ are, before employment or engagement to
983 provide services, subject to level 2 background screening as
984 provided under chapter 435. The fingerprints for the background
985 screening must be electronically submitted to the Department of
986 Law Enforcement and can be taken by an authorized law
987 enforcement agency or by an employee of the eligible nonprofit
988 scholarship-funding organization or a private company who is
989 trained to take fingerprints. However, the complete set of
990 fingerprints of an owner or operator may not be taken by the
991 owner or operator. The results of the state and national
992 criminal history check shall be provided to the Department of
993 Education for screening under chapter 435. The cost of the
994 background screening may be borne by the eligible nonprofit
995 scholarship-funding organization or the owner or operator.

996 2. Every 5 years following employment or engagement to



997 provide services or association with an eligible nonprofit
998 scholarship-funding organization, each owner or operator must
999 meet level 2 screening standards as described in s. 435.04, at
1000 which time the nonprofit scholarship-funding organization shall
1001 request the Department of Law Enforcement to forward the
1002 fingerprints to the Federal Bureau of Investigation for level 2
1003 screening. If the fingerprints of an owner or operator are not
1004 retained by the Department of Law Enforcement under subparagraph
1005 3., the owner or operator must electronically file a complete
1006 set of fingerprints with the Department of Law Enforcement. Upon
1007 submission of fingerprints for this purpose, the eligible
1008 nonprofit scholarship-funding organization shall request that
1009 the Department of Law Enforcement forward the fingerprints to
1010 the Federal Bureau of Investigation for level 2 screening, and
1011 the fingerprints shall be retained by the Department of Law
1012 Enforcement under subparagraph 3.

1013 3. Fingerprints submitted to the Department of Law
1014 Enforcement as required by this paragraph must be retained by
1015 the Department of Law Enforcement in a manner approved by rule
1016 and entered in the statewide automated biometric identification
1017 system authorized by s. 943.05(2)(b). The fingerprints must
1018 thereafter be available for all purposes and uses authorized for
1019 arrest fingerprints entered in the statewide automated biometric
1020 identification system pursuant to s. 943.051.

1021 4. The Department of Law Enforcement shall search all
1022 arrest fingerprints received under s. 943.051 against the
1023 fingerprints retained in the statewide automated biometric
1024 identification system under subparagraph 3. Any arrest record
1025 that is identified with an owner's or operator's fingerprints



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1026 must be reported to the Department of Education. The Department
1027 of Education shall participate in this search process by paying
1028 an annual fee to the Department of Law Enforcement and by
1029 informing the Department of Law Enforcement of any change in the
1030 employment, engagement, or association status of the owners or
1031 operators whose fingerprints are retained under subparagraph 3.
1032 The Department of Law Enforcement shall adopt a rule setting the
1033 amount of the annual fee to be imposed upon the Department of
1034 Education for performing these services and establishing the
1035 procedures for the retention of owner and operator fingerprints
1036 and the dissemination of search results. The fee may be borne by
1037 the owner or operator of the nonprofit scholarship-funding
1038 organization.

1039 5. A nonprofit scholarship-funding organization whose owner
1040 or operator fails the level 2 background screening is not
1041 eligible to provide scholarships under this section.

1042 6. A nonprofit scholarship-funding organization whose owner
1043 or operator in the last 7 years has filed for personal
1044 bankruptcy or corporate bankruptcy in a corporation of which he
1045 or she owned more than 20 percent is ~~shall~~ not be eligible to
1046 provide scholarships under this section.

1047 7. In addition to the offenses listed in s. 435.04, a
1048 person required to undergo background screening pursuant to this
1049 part or authorizing statutes must not have an arrest awaiting
1050 final disposition for, must not have been found guilty of, or
1051 entered a plea of nolo contendere to, regardless of
1052 adjudication, and must not have been adjudicated delinquent, and
1053 the record must not have been sealed or expunged for, any of the
1054 following offenses or any similar offense of another



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1055 jurisdiction:

1056 a. Any authorizing statutes, if the offense was a felony.

1057 b. This chapter, if the offense was a felony.

1058 c. Section 409.920, relating to Medicaid provider fraud.

1059 d. Section 409.9201, relating to Medicaid fraud.

1060 e. Section 741.28, relating to domestic violence.

1061 f. Section 817.034, relating to fraudulent acts through

1062 mail, wire, radio, electromagnetic, photoelectronic, or

1063 photooptical systems.

1064 g. Section 817.234, relating to false and fraudulent

1065 insurance claims.

1066 h. Section 817.505, relating to patient brokering.

1067 i. Section 817.568, relating to criminal use of personal

1068 identification information.

1069 j. Section 817.60, relating to obtaining a credit card

1070 through fraudulent means.

1071 k. Section 817.61, relating to fraudulent use of credit

1072 cards, if the offense was a felony.

1073 l. Section 831.01, relating to forgery.

1074 m. Section 831.02, relating to uttering forged instruments.

1075 n. Section 831.07, relating to forging bank bills, checks,

1076 drafts, or promissory notes.

1077 o. Section 831.09, relating to uttering forged bank bills,

1078 checks, drafts, or promissory notes.

1079 p. Section 831.30, relating to fraud in obtaining medicinal

1080 drugs.

1081 q. Section 831.31, relating to the sale, manufacture,

1082 delivery, or possession with the intent to sell, manufacture, or

1083 deliver any counterfeit controlled substance, if the offense was



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1084 a felony.

1085 (d)1. For the 2023-2024 school year, may fund no more than
1086 20,000 scholarships for students who are enrolled pursuant to
1087 paragraph (7)(b). The number of scholarships funded for such
1088 students may increase by 40,000 in each subsequent school year.
1089 This subparagraph is repealed July 1, 2027.

1090 2. Must establish and maintain separate empowerment
1091 accounts from eligible contributions for each eligible student.
1092 For each account, the organization must maintain a record of
1093 accrued interest retained in the student's account. The
1094 organization must verify that scholarship funds are used for
1095 ~~provide scholarships, from eligible contributions, to eligible~~
1096 ~~students for the cost of:~~

1097 a.1. Tuition and fees for full-time or part-time enrollment
1098 in an eligible private school.; ~~or~~

1099 b.2. Transportation to a Florida public school in which a
1100 student is enrolled and that is different from the school to
1101 which the student was assigned or to a lab school as defined in
1102 s. 1002.32.

1103 c. Instructional materials, including digital materials and
1104 Internet resources.

1105 d. Curriculum as defined in s. 1002.394(2).

1106 e. Tuition and fees associated with full-time or part-time
1107 enrollment in a home education instructional program; an
1108 eligible postsecondary educational institution or a program
1109 offered by the postsecondary educational institution, unless the
1110 program is subject to s. 1009.25 or reimbursed pursuant to s.
1111 1009.30; an approved preapprenticeship program as defined in s.
1112 446.021(5) which is not subject to s. 1009.25 and complies with



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1113 all applicable requirements of the Department of Education
1114 pursuant to chapter 1005; a private tutoring program authorized
1115 under s. 1002.43; a virtual program offered by a department-
1116 approved private online provider that meets the provider
1117 qualifications specified in s. 1002.45(2)(a); the Florida
1118 Virtual School as a private paying student; or an approved
1119 online course offered pursuant to s. 1003.499 or s. 1004.0961.

1120 f. Fees for nationally standardized, norm-referenced
1121 achievement tests, Advanced Placement Examinations, industry
1122 certification examinations, assessments related to postsecondary
1123 education, or other assessments.

1124 g. Contracted services provided by a public school or
1125 school district, including classes. A student who receives
1126 contracted services under this sub-subparagraph is not
1127 considered enrolled in a public school for eligibility purposes
1128 as specified in subsection (11) but rather attending a public
1129 school on a part-time basis as authorized under s. 1002.44.

1130 h. Tuition and fees for part-time tutoring services or fees
1131 for services provided by a choice navigator. Such services must
1132 be provided by a person who holds a valid Florida educator's
1133 certificate pursuant to s. 1012.56, a person who holds an
1134 adjunct teaching certificate pursuant to s. 1012.57, a person
1135 who has a bachelor's degree or a graduate degree in the subject
1136 area in which instruction is given, a person who has
1137 demonstrated a mastery of subject area knowledge pursuant to s.
1138 1012.56(5), or a person certified by a nationally or
1139 internationally recognized research-based training program as
1140 approved by the Department of Education. As used in this
1141 paragraph, the term "part-time tutoring services" does not



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1142 qualify as regular school attendance as defined in s.
1143 1003.01(13)(e).

1144 (e) For students determined eligible pursuant to paragraph
1145 (7)(b), must:

1146 1. Maintain a signed agreement from the parent which
1147 constitutes compliance with the attendance requirements under
1148 ss. 1003.01(13) and 1003.21(1).

1149 2. Receive eligible student test scores and, beginning with
1150 the 2027-2028 school year, by August 15, annually report test
1151 scores for students pursuant to paragraph (7)(b) to a state
1152 university pursuant to paragraph (9)(f).

1153 3. Provide parents with information, guidance, and support
1154 to create and annually update a student learning plan for their
1155 student. The organization must maintain the plan and allow
1156 parents to electronically submit, access, and revise the plan
1157 continuously.

1158 4. Upon submission by the parent of an annual student
1159 learning plan, fund a scholarship for a student determined
1160 eligible.

1161 (g) ~~(f)~~ Must provide a renewal or initial scholarship to an
1162 eligible student on a first-come, first-served basis unless the
1163 student qualifies for priority pursuant to paragraph (f) ~~(e)~~.

1164 (h) ~~Each eligible nonprofit scholarship-funding~~
1165 ~~organization~~ Must refer any student eligible for a scholarship
1166 pursuant to this section who did not receive a renewal or
1167 initial scholarship based solely on the lack of available funds
1168 under this section and s. 1002.40(11)(i) to another eligible
1169 nonprofit scholarship-funding organization that may have funds
1170 available.



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1171 (1)~~(j)~~1. May use eligible contributions received pursuant
1172 to this section and ss. 212.099, 212.1832, and 1002.40 during
1173 the state fiscal year in which such contributions are collected
1174 for administrative expenses if the organization has operated as
1175 an eligible nonprofit scholarship-funding organization for at
1176 least the preceding 3 fiscal years and did not have any findings
1177 of material weakness or material noncompliance in its most
1178 recent audit under paragraph (o) or is in good standing in each
1179 state in which it administers a scholarship program and the
1180 audited financial statements for the preceding 3 fiscal years
1181 are free of material misstatements and going concern issues ~~(m)~~.
1182 Administrative expenses from eligible contributions may not
1183 exceed 3 percent of the total amount of all scholarships funded
1184 by an eligible scholarship-funding organization under this
1185 chapter. Such administrative expenses must be reasonable and
1186 necessary for the organization's management and distribution of
1187 scholarships funded under this chapter. Administrative expenses
1188 may include developing or contracting with rideshare programs or
1189 facilitating carpool strategies for recipients of a
1190 transportation scholarship. No funds authorized under this
1191 subparagraph shall be used for lobbying or political activity or
1192 expenses related to lobbying or political activity. Up to one-
1193 third of the funds authorized for administrative expenses under
1194 this subparagraph may be used for expenses related to the
1195 recruitment of contributions from taxpayers. An eligible
1196 nonprofit scholarship-funding organization may not charge an
1197 application fee.

1198 2. Must award ~~expend~~ for annual or partial-year
1199 scholarships an amount equal to or greater than 75 percent of



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1200 all estimated ~~the~~ net eligible contributions, as defined in
1201 subsection (2), and all funds carried forward from the prior
1202 state fiscal year remaining after administrative expenses before
1203 funding any scholarships to students determined eligible
1204 pursuant to s. 1002.394(3)(a) during the state fiscal year in
1205 which such contributions are collected. No more than 25 percent
1206 of such net eligible contributions may be carried forward to the
1207 following state fiscal year. All amounts carried forward, for
1208 audit purposes, must be specifically identified for particular
1209 students, by student name and the name of the school to which
1210 the student is admitted, subject to the requirements of ss.
1211 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the applicable
1212 rules and regulations issued pursuant thereto. Any amounts
1213 carried forward shall be expended for annual or partial-year
1214 scholarships in the following state fiscal year. No later than
1215 September 30 of each year, net eligible contributions remaining
1216 on June 30 of each year that are in excess of the 25 percent
1217 that may be carried forward shall be used to provide
1218 scholarships to eligible students or transferred to other
1219 eligible nonprofit scholarship-funding organizations to provide
1220 scholarships for eligible students. All transferred funds must
1221 be deposited by each eligible nonprofit scholarship-funding
1222 organization receiving such funds into its scholarship account.
1223 All transferred amounts received by any eligible nonprofit
1224 scholarship-funding organization must be separately disclosed in
1225 the annual financial audit required under paragraph (o) ~~(m)~~.

1226 3. Must, before granting a scholarship for an academic
1227 year, document each scholarship student's eligibility for that
1228 academic year. A scholarship-funding organization may not grant



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1229 multiyear scholarships in one approval process.

1230 (g)~~(e)~~1.a. Must participate in the joint development of
1231 agreed-upon procedures during the 2009-2010 state fiscal year.
1232 The agreed-upon procedures must uniformly apply to all private
1233 schools and must determine, at a minimum, whether the private
1234 school has been verified as eligible by the Department of
1235 Education under s. 1002.421; has an adequate accounting system,
1236 system of financial controls, and process for deposit and
1237 classification of scholarship funds; and has properly expended
1238 scholarship funds for education-related expenses. During the
1239 development of the procedures, the participating scholarship-
1240 funding organizations shall specify guidelines governing the
1241 materiality of exceptions that may be found during the
1242 accountant's performance of the procedures. The procedures and
1243 guidelines shall be provided to private schools and the
1244 Commissioner of Education by March 15, 2011.

1245 b. Must participate in a joint review of the agreed-upon
1246 procedures and guidelines developed under sub-subparagraph a.,
1247 by February of each biennium, if the scholarship-funding
1248 organization provided more than \$250,000 in scholarship funds ~~to~~
1249 ~~an eligible private school~~ under this chapter during the state
1250 fiscal year preceding the biennial review. If the procedures and
1251 guidelines are revised, the revisions must be provided to
1252 private schools and the Commissioner of Education by March 15 of
1253 the year in which the revisions were completed. The revised
1254 agreed-upon procedures and guidelines shall take effect the
1255 subsequent school year. ~~For the 2018-2019 school year only, the~~
1256 ~~joint review of the agreed-upon procedures must be completed and~~
1257 ~~the revisions submitted to the commissioner no later than~~



1258 ~~September 15, 2018. The revised procedures are applicable to the~~
1259 ~~2018-2019 school year.~~

1260 c. Must monitor the compliance of a private school with s.
1261 1002.421(1)(q) if the scholarship-funding organization provided
1262 the majority of the scholarship funding to the school. For each
1263 private school subject to s. 1002.421(1)(q), the appropriate
1264 scholarship-funding organization shall annually notify the
1265 Commissioner of Education by October 30 of:

1266 (I) A private school's failure to submit a report required
1267 under s. 1002.421(1)(q); or

1268 (II) Any material exceptions set forth in the report
1269 required under s. 1002.421(1)(q).

1270 2. Must seek input from the accrediting associations that
1271 are members of the Florida Association of Academic Nonpublic
1272 Schools and the Department of Education when jointly developing
1273 the agreed-upon procedures and guidelines under sub-subparagraph
1274 1.a. and conducting a review of those procedures and guidelines
1275 under sub-subparagraph 1.b.

1276 (t) Must participate in the joint development of agreed-
1277 upon purchasing guidelines for authorized uses of scholarship
1278 funds under this chapter. By December 31, 2023, and by each
1279 December 31 thereafter, the purchasing guidelines must be
1280 provided to the Commissioner of Education and published on the
1281 eligible nonprofit scholarship-funding organization's website.
1282 Published purchasing guidelines shall remain in effect until
1283 there is unanimous agreement to revise the guidelines and the
1284 revisions must be provided to the commissioner and published on
1285 the organization's website within 30 days after such revisions.

1286 (u) May permit eligible students to use program funds for



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1287 the purposes specified in paragraph (d) by paying for the
1288 authorized use directly, then submitting a reimbursement request
1289 to the eligible nonprofit scholarship-funding organization.
1290 However, an eligible nonprofit scholarship-funding organization
1291 may require the use of an online platform for direct purchases
1292 of products so long as such use does not limit a parent's choice
1293 of curriculum or academic programs. If a parent purchases a
1294 product identical to one offered by an organization's online
1295 platform for a lower price, the organization shall reimburse the
1296 parent the cost of the product.

1297 (v) Must notify each parent that participation in the
1298 scholarship program does not guarantee enrollment.

1299 (w) Shall commit scholarship funds on behalf of the student
1300 for tuition and fees for which the parent is responsible for
1301 payment at the private school before using empowerment account
1302 funds for additional authorized uses under paragraph (d).

1303 (x) Beginning September 30, 2023, must submit to the
1304 department quarterly reports that provide the estimated and
1305 actual amounts of the net eligible contributions, as defined in
1306 subsection (2), and all funds carried forward from the prior
1307 state fiscal year.

1308
1309 Information and documentation provided to the Department of
1310 Education and the Auditor General relating to the identity of a
1311 taxpayer that provides an eligible contribution under this
1312 section shall remain confidential at all times in accordance
1313 with s. 213.053.

1314 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
1315 PARTICIPATION.—



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1316 (a) A parent whose student will be enrolled full time in a
1317 private school must:

1318 1. ~~The parent must~~ Select an eligible private school and
1319 apply for the admission of his or her child.

1320 2. ~~(b) The parent must~~ Inform the child's school district
1321 when the parent withdraws his or her child to attend an eligible
1322 private school.

1323 3. ~~(e) Require his or her~~ any student participating in the
1324 ~~scholarship program to~~ must remain in attendance throughout the
1325 school year unless excused by the school for illness or other
1326 good cause and-

1327 ~~(d) Each parent and each student has an obligation to the~~
1328 ~~private school to~~ comply with the private school's published
1329 policies.

1330 4. Meet with the private school's principal or the
1331 principal's designee to review the school's academic programs
1332 and policies, specialized services, code of student conduct, and
1333 attendance policies before enrollment in the private school.

1334 5. ~~(e) Require his or her~~ The parent shall ensure that the
1335 student participating in the scholarship program to take ~~takes~~
1336 the norm-referenced assessment offered by the private school.
1337 The parent may also choose to have the student participate in
1338 the statewide assessments pursuant to s. 1008.22. If the parent
1339 requests that the student participating in the scholarship
1340 program take statewide assessments pursuant to s. 1008.22 and
1341 the private school has not chosen to offer and administer the
1342 statewide assessments, the parent is responsible for
1343 transporting the student to the assessment site designated by
1344 the school district.



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1345 ~~6.(f) Upon receipt of a scholarship warrant from the~~
1346 ~~eligible nonprofit scholarship-funding organization, the parent~~
1347 ~~to whom the warrant is made must restrictively endorse the~~
1348 ~~warrant to the private school for deposit into the account of~~
1349 ~~the private school. If payments are made by funds transfer, the~~
1350 ~~parent must~~ Approve each payment before the scholarship funds
1351 may be deposited by funds transfer. The parent may not designate
1352 any entity or individual associated with the participating
1353 private school as the parent's attorney in fact to ~~endorse a~~
1354 ~~scholarship warrant or~~ approve a funds transfer. A participant
1355 who fails to comply with this paragraph forfeits the
1356 scholarship.

1357 ~~7.(g) The parent shall~~ Authorize the nonprofit scholarship-
1358 funding organization to access information needed for income
1359 eligibility determination and verification held by other state
1360 or federal agencies, including the Department of Revenue, the
1361 Department of Children and Families, the Department of
1362 Education, the Department of Economic Opportunity, and the
1363 Agency for Health Care Administration.

1364 8. Agree to have the organization commit scholarship funds
1365 on behalf of his or her student for tuition and fees for which
1366 the parent is responsible for payment at the private school
1367 before using empowerment account funds for additional authorized
1368 uses under paragraph (6) (d). A parent is responsible for all
1369 eligible expenses in excess of the amount of the scholarship.

1370 (b) A parent whose student will not be enrolled full time
1371 in a public or private school must:

1372 1. Apply to an eligible nonprofit scholarship-funding
1373 organization to participate in the program as a personalized



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1374 education student by a date set by the organization. The request
1375 must be communicated directly to the organization in a manner
1376 that creates a written or electronic record of the request and
1377 the date of receipt of the request.

1378 2. Sign an agreement with the organization and annually
1379 submit a sworn compliance statement to the organization to
1380 satisfy or maintain program eligibility, including eligibility
1381 to receive and spend program payments, by:

1382 a. Affirming that the program funds are used only for
1383 authorized purposes serving the student's educational needs, as
1384 described in paragraph (6)(d), and that they will not receive a
1385 payment, refund, or rebate of any funds provided under this
1386 section.

1387 b. Affirming that the parent is responsible for all
1388 eligible expenses in excess of the amount of the scholarship and
1389 for the education of his or her student.

1390 c. Submitting a student learning plan to the organization
1391 and revising the plan at least annually before program renewal.

1392 d. Requiring his or her student to take a nationally norm-
1393 referenced test identified by the Department of Education, or a
1394 statewide assessment under s. 1008.22, and provide assessment
1395 results to the organization before the student's program
1396 renewal.

1397 e. Renewing participation in the program each year. A
1398 student whose participation in the program is not renewed may
1399 continue to spend scholarship funds that are in his or her
1400 account from prior years unless the account must be closed
1401 pursuant to s. 1002.394(5)(a)2.

1402 f. Procuring the services necessary to educate the student.



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1403 When the student receives a scholarship, the district school
1404 board is not obligated to provide the student with a free
1405 appropriate public education.

1406
1407 An eligible nonprofit scholarship-funding organization may not
1408 further regulate, exercise control over, or require
1409 documentation beyond the requirements of this subsection unless
1410 the regulation, control, or documentation is necessary for
1411 participation in the program.

1412 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
1413 Education shall:

1414 (a) Annually submit to the department and division, by
1415 March 15, a list of eligible nonprofit scholarship-funding
1416 organizations that meet the requirements of paragraph (2) (g)
1417 ~~(2) (f)~~.

1418 (b) Annually verify the eligibility of nonprofit
1419 scholarship-funding organizations that meet the requirements of
1420 paragraph (2) (g) ~~(2) (f)~~.

1421 (c) Annually verify the eligibility of expenditures as
1422 provided in paragraph (6) (d) using the audit required by
1423 paragraph (6) (o) ~~(6) (m)~~.

1424 (e) Maintain and annually publish a list of nationally
1425 norm-referenced tests identified for purposes of satisfying the
1426 testing requirement in subparagraph (8) (b)1. The tests must meet
1427 industry standards of quality in accordance with State Board of
1428 Education rule.

1429 (f) Issue a project grant award to a state university, to
1430 which participating private schools and eligible nonprofit
1431 scholarship-funding organizations must report the scores of



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1432 participating students on the nationally norm-referenced tests
1433 or the statewide assessments administered ~~by the private school~~
1434 in grades 3 through 10. The project term is 2 years, and the
1435 amount of the project is up to \$250,000 per year. The project
1436 grant award must be reissued in 2-year intervals in accordance
1437 with this paragraph.

1438 1. The state university must annually report to the
1439 Department of Education on the student performance of
1440 participating students and, beginning with the 2027-2028 school
1441 year, on the performance of personalized education students:

1442 a. On a statewide basis. The report shall also include, to
1443 the extent possible, a comparison of scholarship students'
1444 performance to the statewide student performance of public
1445 school students with socioeconomic backgrounds similar to those
1446 of students participating in the scholarship program. To
1447 minimize costs and reduce time required for the state
1448 university's analysis and evaluation, the Department of
1449 Education shall coordinate with the state university to provide
1450 data to the state university in order to conduct analyses of
1451 matched students from public school assessment data and
1452 calculate control group student performance using an agreed-upon
1453 methodology with the state university; and

1454 b. On an individual school basis for students enrolled full
1455 time in a private school. The annual report must include student
1456 performance for each participating private school in which ~~at~~
1457 ~~least 51 percent of the total~~ enrolled students in the private
1458 school participated in a scholarship program under this section,
1459 s. 1002.394(12) (a), or s. 1002.40 ~~the Florida Tax Credit~~
1460 ~~Scholarship Program~~ in the prior school year. The report shall



1461 be according to each participating private school, and for
1462 participating students, in which there are at least 30
1463 participating students who have scores for tests administered.
1464 If the state university determines that the 30-participating-
1465 student cell size may be reduced without disclosing personally
1466 identifiable information, as described in 34 C.F.R. s. 99.12, of
1467 a participating student, the state university may reduce the
1468 participating-student cell size, but the cell size must not be
1469 reduced to less than 10 participating students. The department
1470 shall provide each private school's prior school year's student
1471 enrollment information to the state university no later than
1472 June 15 of each year, or as requested by the state university.

1473 2. The sharing and reporting of student performance data
1474 under this paragraph must be in accordance with requirements of
1475 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family
1476 Educational Rights and Privacy Act, and the applicable rules and
1477 regulations issued pursuant thereto, and shall be for the sole
1478 purpose of creating the annual report required by subparagraph
1479 1. All parties must preserve the confidentiality of such
1480 information as required by law. The annual report must not
1481 disaggregate data to a level that will identify individual
1482 participating schools, except as required under sub-subparagraph
1483 1.b., or disclose the academic level of individual students.

1484 3. The annual report required by subparagraph 1. shall be
1485 published by the Department of Education on its website.

1486 (j) Provide a process to match the direct certification
1487 list with the scholarship application data submitted by any
1488 nonprofit scholarship-funding organization eligible to receive
1489 the 3-percent administrative allowance under paragraph (6)(1)



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1490 ~~(6) (j).~~
1491 (k) Notify each school district of the full-time equivalent
1492 student consensus estimate of scholarship students developed
1493 pursuant to s. 216.136(4) (a).

1494 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1495 (b) Payment of the scholarship by the eligible nonprofit
1496 scholarship-funding organization shall be ~~by individual warrant~~
1497 ~~made payable to the student's parent or~~ by funds transfer,
1498 including, but not limited to, debit cards, electronic payment
1499 cards, or any other means of payment that the department deems
1500 to be commercially viable or cost-effective. ~~If the payment is~~
1501 ~~made by warrant, the warrant must be delivered by the eligible~~
1502 ~~nonprofit scholarship-funding organization to the private school~~
1503 ~~of the parent's choice, and the parent shall restrictively~~
1504 ~~endorse the warrant to the private school. An eligible nonprofit~~
1505 ~~scholarship-funding organization shall ensure that the parent to~~
1506 ~~whom the warrant is made restrictively endorsed the warrant to~~
1507 ~~the private school for deposit into the account of the private~~
1508 ~~school or~~ that the parent has approved a funds transfer before
1509 any scholarship funds are deposited.

1510 (e) An eligible nonprofit scholarship-funding organization
1511 may not transfer any funds to an account of a student determined
1512 eligible under this section which has a balance in excess of
1513 \$24,000.

1514 (f) A scholarship awarded to an eligible student shall
1515 remain in force until:

1516 1. The organization determines that the student is not
1517 eligible for program renewal;

1518 2. The Commissioner of Education suspends or revokes



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1519 program participation or use of funds;
1520 3. The student's parent has forfeited participation in the
1521 program for failure to comply with subsection (7);
1522 4. The student enrolls in a public school. However, if a
1523 student enters a Department of Juvenile Justice detention center
1524 for a period of no more than 21 days, the student is not
1525 considered to have returned to a public school on a full-time
1526 basis for that purpose; or
1527 5. The student graduates from high school or attains 21
1528 years of age, whichever occurs first.
1529 (g) Reimbursements for program expenditures may continue
1530 until the account balance is expended or remaining funds have
1531 reverted to the state.
1532 (h) A student's scholarship account must be closed and any
1533 remaining funds shall revert to the state after:
1534 1. Denial or revocation of program eligibility by the
1535 commissioner for fraud or abuse, including, but not limited to,
1536 the student or student's parent accepting any payment, refund,
1537 or rebate, in any manner, from a provider of any services
1538 received pursuant to paragraph (6) (d); or
1539 2. Two consecutive fiscal years in which an account has
1540 been inactive.
1541 (15) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;
1542 APPLICATION.—In order to participate in the scholarship program
1543 created under this section, a charitable organization that seeks
1544 to be a nonprofit scholarship-funding organization must submit
1545 an application for initial approval or renewal to the Office of
1546 Independent Education and Parental Choice. The office shall
1547 provide at least two application periods in which charitable



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1548 organizations may apply to participate in the program no later
1549 than September 1 of each year before the school year for which
1550 the organization intends to offer scholarships.

1551 (a) An application for initial approval must include:

1552 1. A copy of the organization's incorporation documents and
1553 registration with the Division of Corporations of the Department
1554 of State.

1555 2. A copy of the organization's Internal Revenue Service
1556 determination letter as a s. 501(c)(3) not-for-profit
1557 organization.

1558 3. A description of the organization's financial plan that
1559 demonstrates sufficient funds to operate throughout the school
1560 year.

1561 4. A description of the geographic region that the
1562 organization intends to serve and an analysis of the demand and
1563 unmet need for eligible students in that area.

1564 5. The organization's organizational chart.

1565 6. A description of the criteria and methodology that the
1566 organization will use to evaluate scholarship eligibility.

1567 7. A description of the application process, including
1568 deadlines and any associated fees.

1569 8. A description of the deadlines for attendance
1570 verification and scholarship payments.

1571 9. A copy of the organization's policies on conflict of
1572 interest and whistleblowers.

1573 10. A copy of a surety bond or letter of credit to secure
1574 the faithful performance of the obligations of the eligible
1575 nonprofit scholarship-funding organization in accordance with
1576 this section in an amount equal to 25 percent of the scholarship



1577 funds anticipated for each school year or \$100,000, whichever is
1578 greater. The surety bond or letter of credit must specify that
1579 any claim against the bond or letter of credit may be made only
1580 by an eligible nonprofit scholarship-funding organization to
1581 provide scholarships to and on behalf of students who would have
1582 had scholarships funded if it were not for the diversion of
1583 funds giving rise to the claim against the bond or letter of
1584 credit.

1585 (b) In addition to the information required by
1586 subparagraphs (a)1.-9., an application for renewal must include:

1587 1. A surety bond or letter of credit to secure the faithful
1588 performance of the obligations of the eligible nonprofit
1589 scholarship-funding organization in accordance with this section
1590 equal to the amount of undisbursed donations held by the
1591 organization based on the annual report submitted pursuant to
1592 paragraph (6) (o) ~~(6) (m)~~. The amount of the surety bond or letter
1593 of credit must be at least \$100,000, but not more than \$25
1594 million. The surety bond or letter of credit must specify that
1595 any claim against the bond or letter of credit may be made only
1596 by an eligible nonprofit scholarship-funding organization to
1597 provide scholarships to and on behalf of students who would have
1598 had scholarships funded if it were not for the diversion of
1599 funds giving rise to the claim against the bond or letter of
1600 credit.

1601 2. The organization's completed Internal Revenue Service
1602 Form 990 submitted no later than November 30 of the year before
1603 the school year that the organization intends to offer the
1604 scholarships, notwithstanding the department's ~~September 1~~
1605 application deadline.



1606 3. A copy of the statutorily required audit to the
1607 Department of Education and Auditor General.
1608 4. An annual report that includes:
1609 a. The number of students who completed applications, by
1610 county and by grade.
1611 b. The number of students who were approved for
1612 scholarships, by county and by grade.
1613 c. The number of students who received funding for
1614 scholarships within each funding category, by county and by
1615 grade.
1616 d. The amount of funds received, the amount of funds
1617 distributed in scholarships, and an accounting of remaining
1618 funds and the obligation of those funds.
1619 e. A detailed accounting of how the organization spent the
1620 administrative funds allowable under paragraph (6) (1) ~~(6) (j)~~.
1621 (c) In consultation with the Department of Revenue and the
1622 Chief Financial Officer, the Office of Independent Education and
1623 Parental Choice shall review the application. The Department of
1624 Education shall notify the organization in writing of any
1625 deficiencies within 30 days after receipt of the application and
1626 allow the organization 30 days to correct any deficiencies.
1627 (d) Within 30 days after receipt of the finalized
1628 application by the Office of Independent Education and Parental
1629 Choice, the Commissioner of Education shall recommend approval
1630 or disapproval of the application to the State Board of
1631 Education. The State Board of Education shall consider the
1632 application and recommendation at the next scheduled meeting,
1633 adhering to appropriate meeting notice requirements. If the
1634 State Board of Education disapproves the organization's



1635 application, it shall provide the organization with a written
1636 explanation of that determination. The State Board of
1637 Education's action is not subject to chapter 120.

1638 (e) If the State Board of Education disapproves the renewal
1639 of a nonprofit scholarship-funding organization, the
1640 organization must notify the affected eligible students and
1641 parents of the decision within 15 days after disapproval. An
1642 eligible student affected by the disapproval of an
1643 organization's participation remains eligible under this section
1644 until the end of the school year in which the organization was
1645 disapproved. The student must apply and be accepted by another
1646 eligible nonprofit scholarship-funding organization for the
1647 upcoming school year. The student shall be given priority in
1648 accordance with paragraph (6) (g) ~~(6) (f)~~.

1649 (f) All remaining funds held by a nonprofit scholarship-
1650 funding organization that is disapproved for participation must
1651 be transferred to other eligible nonprofit scholarship-funding
1652 organizations to provide scholarships for eligible students. All
1653 transferred funds must be deposited by each eligible nonprofit
1654 scholarship-funding organization receiving such funds into its
1655 scholarship account. All transferred amounts received by any
1656 eligible nonprofit scholarship-funding organization must be
1657 separately disclosed in the annual financial audit required
1658 under subsection (6).

1659 (g) A nonprofit scholarship-funding organization is a
1660 renewing organization if it maintains continuous approval and
1661 participation in the program. An organization that chooses not
1662 to participate for 1 year or more or is disapproved to
1663 participate for 1 year or more must submit an application for



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1664 initial approval in order to participate in the program again.

1665 (h) The State Board of Education shall adopt rules
1666 providing guidelines for receiving, reviewing, and approving
1667 applications for new and renewing nonprofit scholarship-funding
1668 organizations. The rules must include a process for compiling
1669 input and recommendations from the Chief Financial Officer, the
1670 Department of Revenue, and the Department of Education. The
1671 rules must also require that the nonprofit scholarship-funding
1672 organization make a brief presentation to assist the State Board
1673 of Education in its decision.

1674 (i) A state university; or an independent college or
1675 university which is eligible to participate in the William L.
1676 Boyd, IV, Effective Access to Student Education Grant Program,
1677 located and chartered in this state, is not for profit, and is
1678 accredited by the Commission on Colleges of the Southern
1679 Association of Colleges and Schools, is exempt from the initial
1680 or renewal application process, but must file a registration
1681 notice with the Department of Education to be an eligible
1682 nonprofit scholarship-funding organization. The State Board of
1683 Education shall adopt rules that identify the procedure for
1684 filing the registration notice with the department. The rules
1685 must identify appropriate reporting requirements for fiscal,
1686 programmatic, and performance accountability purposes consistent
1687 with this section, but may ~~shall~~ not exceed the requirements for
1688 eligible nonprofit scholarship-funding organizations for
1689 charitable organizations.

1690 Section 7. Paragraphs (e) and (f) of subsection (2) and
1691 paragraphs (g) and (i) of subsection (11) of section 1002.40,
1692 Florida Statutes, are amended to read:



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1693 1002.40 The Hope Scholarship Program.—
1694 (2) DEFINITIONS.—As used in this section, the term:
1695 (e) “Eligible nonprofit scholarship-funding organization”
1696 or “organization” has the same meaning as provided in s.
1697 1002.395(2) ~~s. 1002.395(2)(f)~~.
1698 (f) “Eligible private school” has the same meaning as
1699 provided in s. 1002.395(2) ~~s. 1002.395(2)(g)~~.
1700 (11) FUNDING AND PAYMENT.—
1701 (g) An eligible nonprofit scholarship-funding organization,
1702 subject to the limitations of s. 1002.395(6)(1)1. ~~s.~~
1703 ~~1002.395(6)(j)1.~~, may use eligible contributions received during
1704 the state fiscal year in which such contributions are collected
1705 for administrative expenses.
1706 (i) Notwithstanding s. 1002.395(6)(1)2. ~~s. 1002.395(6)~~
1707 ~~(j)2.~~, no more than 5 percent of net eligible contributions may
1708 be carried forward to the following state fiscal year by an
1709 eligible scholarship-funding organization. For audit purposes,
1710 all amounts carried forward must be specifically identified for
1711 individual students by student name and by the name of the
1712 school to which the student is admitted, subject to the
1713 requirements of ss. 1002.21 and 1002.22 and 20 U.S.C. s. 1232g,
1714 and the applicable rules and regulations issued pursuant to such
1715 requirements. Any amounts carried forward shall be expended for
1716 annual scholarships or partial-year scholarships in the
1717 following state fiscal year. Net eligible contributions
1718 remaining on June 30 of each year which are in excess of the 5
1719 percent that may be carried forward shall be transferred to
1720 other eligible nonprofit scholarship-funding organizations
1721 participating in the Hope Scholarship Program to provide



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1722 scholarships for eligible students. All transferred funds must
1723 be deposited by each eligible nonprofit scholarship-funding
1724 organization receiving such funds into the scholarship account
1725 of eligible students. All transferred amounts received by an
1726 eligible nonprofit scholarship-funding organization must be
1727 separately disclosed in the annual financial audit requirement
1728 under s. 1002.395(6)(o) ~~s. 1002.395(6)(m)~~. If no other eligible
1729 nonprofit scholarship-funding organization participates in the
1730 Hope Scholarship Program, net eligible contributions in excess
1731 of the 5 percent may be used to fund scholarships for students
1732 eligible under s. 1002.395 only after fully exhausting all
1733 contributions made in support of scholarships under that section
1734 in accordance with the priority established in s. 1002.395(6)(f)
1735 ~~before s. 1002.395(6)(e) prior to~~ awarding any initial
1736 scholarships.

1737 Section 8. Subsection (1) and paragraph (c) of subsection
1738 (3) of section 1002.421, Florida Statutes, are amended to read:
1739 1002.421 State school choice scholarship program
1740 accountability and oversight.—

1741 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private
1742 school participating in an educational scholarship program
1743 established pursuant to this chapter must be a private school as
1744 defined in s. 1002.01 ~~s. 1002.01(2)~~ in this state, be
1745 registered, and be in compliance with all requirements of this
1746 section in addition to private school requirements outlined in
1747 s. 1002.42, specific requirements identified within respective
1748 scholarship program laws, and other provisions of Florida law
1749 that apply to private schools, and must:

1750 (a) Comply with the antidiscrimination provisions of 42



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1751 U.S.C. s. 2000d.

1752 (b) Notify the department of its intent to participate in a
1753 scholarship program.

1754 (c) Notify the department of any change in the school's
1755 name, school director, mailing address, or physical location
1756 within 15 days after the change.

1757 (d) Provide to the department or scholarship-funding
1758 organization all documentation required for a student's
1759 participation, including the private school's and student's
1760 individual fee schedule, and attendance verification as required
1761 by the department or scholarship-funding organization, prior to
1762 scholarship payment.

1763 (e) Annually complete and submit to the department a
1764 notarized scholarship compliance statement certifying that all
1765 school employees and contracted personnel with direct student
1766 contact have undergone background screening pursuant to s.
1767 435.12 and have met the screening standards as provided in s.
1768 435.04.

1769 (f) Demonstrate fiscal soundness and accountability by:

1770 1. Being in operation for at least 3 school years or
1771 obtaining a surety bond or letter of credit for the amount equal
1772 to the scholarship funds for any quarter and filing the surety
1773 bond or letter of credit with the department.

1774 2. Requiring the parent of each scholarship student to
1775 personally restrictively endorse the scholarship warrant to the
1776 school or to approve a funds transfer before any funds are
1777 deposited for a student. The school may not act as attorney in
1778 fact for the parent of a scholarship student under the authority
1779 of a power of attorney executed by such parent, or under any



1780 other authority, to endorse a scholarship warrant or approve a
1781 funds transfer on behalf of such parent.

1782 (g) Meet applicable state and local health, safety, and
1783 welfare laws, codes, and rules, including:

1784 1. Firesafety.

1785 2. Building safety.

1786 (h) Employ or contract with teachers who hold baccalaureate
1787 or higher degrees, have at least 3 years of teaching experience
1788 in public or private schools, or have special skills, knowledge,
1789 or expertise that qualifies them to provide instruction in
1790 subjects taught.

1791 (i) Maintain a physical location in this ~~the~~ state at which
1792 each student has regular and direct contact with teachers.

1793 (j) Publish on the school's website, or provide in a
1794 written format, information for parents regarding the school,
1795 including, but not limited to, programs, services, ~~and~~ the
1796 qualifications of classroom teachers, and a statement that a
1797 parentally placed private school student with a disability does
1798 not have an individual right to receive some or all of the
1799 special education and related services that the student would
1800 receive if enrolled in a public school under the Individuals
1801 with Disabilities Education Act (IDEA), as amended.

1802 (k) At a minimum, provide the parent of each scholarship
1803 student with a written explanation of the student's progress on
1804 a quarterly basis.

1805 (l) Cooperate with a student whose parent chooses to
1806 participate in the statewide assessments pursuant to s. 1008.22.

1807 (m) Require each employee and contracted personnel with
1808 direct student contact, upon employment or engagement to provide



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1809 services, to undergo a state and national background screening,
1810 pursuant to s. 943.0542, by electronically filing with the
1811 Department of Law Enforcement a complete set of fingerprints
1812 taken by an authorized law enforcement agency or an employee of
1813 the private school, a school district, or a private company who
1814 is trained to take fingerprints and deny employment to or
1815 terminate an employee if he or she fails to meet the screening
1816 standards under s. 435.04. Results of the screening shall be
1817 provided to the participating private school. For purposes of
1818 this paragraph:

1819 1. An "employee or contracted personnel with direct student
1820 contact" means any employee or contracted personnel who has
1821 unsupervised access to a scholarship student for whom the
1822 private school is responsible.

1823 2. The costs of fingerprinting and the background check may
1824 ~~shall~~ not be borne by the state.

1825 3. Continued employment of an employee or contracted
1826 personnel after notification that he or she has failed the
1827 background screening under this paragraph shall cause a private
1828 school to be ineligible for participation in a scholarship
1829 program.

1830 4. An employee or contracted personnel holding a valid
1831 Florida teaching certificate who has been fingerprinted pursuant
1832 to s. 1012.32 is not required to ~~comply with the provisions of~~
1833 this paragraph.

1834 5. All fingerprints submitted to the Department of Law
1835 Enforcement as required by this section shall be retained by the
1836 Department of Law Enforcement in a manner provided by rule and
1837 entered in the statewide automated biometric identification



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1838 system authorized by s. 943.05(2)(b). Such fingerprints shall
1839 thereafter be available for all purposes and uses authorized for
1840 arrest fingerprints entered in the statewide automated biometric
1841 identification system pursuant to s. 943.051.

1842 6. The Department of Law Enforcement shall search all
1843 arrest fingerprints received under s. 943.051 against the
1844 fingerprints retained in the statewide automated biometric
1845 identification system under subparagraph 5. Any arrest record
1846 that is identified with the retained fingerprints of a person
1847 subject to the background screening under this section shall be
1848 reported to the employing school with which the person is
1849 affiliated. Each private school participating in a scholarship
1850 program is required to participate in this search process by
1851 informing the Department of Law Enforcement of any change in the
1852 employment or contractual status of its personnel whose
1853 fingerprints are retained under subparagraph 5. The Department
1854 of Law Enforcement shall adopt a rule setting the amount of the
1855 annual fee to be imposed upon each private school for performing
1856 these searches and establishing the procedures for the retention
1857 of private school employee and contracted personnel fingerprints
1858 and the dissemination of search results. The fee may be borne by
1859 the private school or the person fingerprinted.

1860 7. Employees and contracted personnel whose fingerprints
1861 are not retained by the Department of Law Enforcement under
1862 subparagraphs 5. and 6. are required to be refingerprinted and
1863 must meet state and national background screening requirements
1864 upon reemployment or reengagement to provide services in order
1865 to comply with the requirements of this section.

1866 8. Every 5 years following employment or engagement to



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1867 provide services with a private school, employees or contracted
1868 personnel required to be screened under this section must meet
1869 screening standards under s. 435.04, at which time the private
1870 school shall request the Department of Law Enforcement to
1871 forward the fingerprints to the Federal Bureau of Investigation
1872 for national processing. If the fingerprints of employees or
1873 contracted personnel are not retained by the Department of Law
1874 Enforcement under subparagraph 5., employees and contracted
1875 personnel must electronically file a complete set of
1876 fingerprints with the Department of Law Enforcement. Upon
1877 submission of fingerprints for this purpose, the private school
1878 shall request that the Department of Law Enforcement forward the
1879 fingerprints to the Federal Bureau of Investigation for national
1880 processing, and the fingerprints shall be retained by the
1881 Department of Law Enforcement under subparagraph 5.

1882 (n) Adopt policies establishing standards of ethical
1883 conduct for educational support employees, instructional
1884 personnel, and school administrators. The policies must require
1885 all educational support employees, instructional personnel, and
1886 school administrators, as defined in s. 1012.01, to complete
1887 training on the standards; establish the duty of educational
1888 support employees, instructional personnel, and school
1889 administrators to report, and procedures for reporting, alleged
1890 misconduct by other educational support employees, instructional
1891 personnel, and school administrators which affects the health,
1892 safety, or welfare of a student; and include an explanation of
1893 the liability protections provided under ss. 39.203 and 768.095.
1894 A private school, or any of its employees, may not enter into a
1895 confidentiality agreement regarding terminated or dismissed



1896 educational support employees, instructional personnel, or
1897 school administrators, or employees, personnel, or
1898 administrators who resign in lieu of termination, based in whole
1899 or in part on misconduct that affects the health, safety, or
1900 welfare of a student, and may not provide the employees,
1901 personnel, or administrators with employment references or
1902 discuss the employees', personnel's, or administrators'
1903 performance with prospective employers in another educational
1904 setting, without disclosing the employees', personnel's, or
1905 administrators' misconduct. Any part of an agreement or a
1906 contract that has the purpose or effect of concealing misconduct
1907 by educational support employees, instructional personnel, or
1908 school administrators which affects the health, safety, or
1909 welfare of a student is void, is contrary to public policy, and
1910 may not be enforced.

1911 (o) Before employing a person in any position that requires
1912 direct contact with students, conduct employment history checks
1913 of previous employers, screen the person through use of the
1914 screening tools described in s. 1001.10(5), and document the
1915 findings. If unable to contact a previous employer, the private
1916 school must document efforts to contact the employer. The
1917 private school may not employ a person whose educator
1918 certificate is revoked, who is barred from reapplying for an
1919 educator certificate, or who is on the disqualification list
1920 maintained by the department pursuant to s. 1001.10(4)(b).

1921 (p) Require each owner or operator of the private school,
1922 prior to employment or engagement to provide services, to
1923 undergo level 2 background screening as provided under chapter
1924 435. For purposes of this paragraph, the term "owner or



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1925 operator" means an owner, operator, superintendent, or principal
1926 of, or a person with equivalent decisionmaking authority over, a
1927 private school participating in a scholarship program
1928 established pursuant to this chapter. The fingerprints for the
1929 background screening must be electronically submitted to the
1930 Department of Law Enforcement and may be taken by an authorized
1931 law enforcement agency or a private company who is trained to
1932 take fingerprints. However, the complete set of fingerprints of
1933 an owner or operator may not be taken by the owner or operator.
1934 The owner or operator shall provide a copy of the results of the
1935 state and national criminal history check to the Department of
1936 Education. The cost of the background screening may be borne by
1937 the owner or operator.

1938 1. Every 5 years following employment or engagement to
1939 provide services, each owner or operator must meet level 2
1940 screening standards as described in s. 435.04, at which time the
1941 owner or operator shall request the Department of Law
1942 Enforcement to forward the fingerprints to the Federal Bureau of
1943 Investigation for level 2 screening. If the fingerprints of an
1944 owner or operator are not retained by the Department of Law
1945 Enforcement under subparagraph 2., the owner or operator must
1946 electronically file a complete set of fingerprints with the
1947 Department of Law Enforcement. Upon submission of fingerprints
1948 for this purpose, the owner or operator shall request that the
1949 Department of Law Enforcement forward the fingerprints to the
1950 Federal Bureau of Investigation for level 2 screening, and the
1951 fingerprints shall be retained by the Department of Law
1952 Enforcement under subparagraph 2.

1953 2. Fingerprints submitted to the Department of Law



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1954 Enforcement as required by this paragraph must be retained by
1955 the Department of Law Enforcement in a manner approved by rule
1956 and entered in the statewide automated biometric identification
1957 system authorized by s. 943.05(2)(b). The fingerprints must
1958 thereafter be available for all purposes and uses authorized for
1959 arrest fingerprints entered in the statewide automated biometric
1960 identification system pursuant to s. 943.051.

1961 3. The Department of Law Enforcement shall search all
1962 arrest fingerprints received under s. 943.051 against the
1963 fingerprints retained in the statewide automated biometric
1964 identification system under subparagraph 2. Any arrest record
1965 that is identified with an owner's or operator's fingerprints
1966 must be reported to the owner or operator, who must report to
1967 the Department of Education. Any costs associated with the
1968 search shall be borne by the owner or operator.

1969 4. An owner or operator who fails the level 2 background
1970 screening is not eligible to participate in a scholarship
1971 program under this chapter.

1972 5. In addition to the offenses listed in s. 435.04, a
1973 person required to undergo background screening pursuant to this
1974 part or authorizing statutes may not have an arrest awaiting
1975 final disposition for, must not have been found guilty of, or
1976 entered a plea of nolo contendere to, regardless of
1977 adjudication, and must not have been adjudicated delinquent for,
1978 and the record must not have been sealed or expunged for, any of
1979 the following offenses or any similar offense of another
1980 jurisdiction:

- 1981 a. Any authorizing statutes, if the offense was a felony.
- 1982 b. This chapter, if the offense was a felony.



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- 1983 c. Section 409.920, relating to Medicaid provider fraud.
1984 d. Section 409.9201, relating to Medicaid fraud.
1985 e. Section 741.28, relating to domestic violence.
1986 f. Section 817.034, relating to fraudulent acts through
1987 mail, wire, radio, electromagnetic, photoelectronic, or
1988 photooptical systems.
1989 g. Section 817.234, relating to false and fraudulent
1990 insurance claims.
1991 h. Section 817.505, relating to patient brokering.
1992 i. Section 817.568, relating to criminal use of personal
1993 identification information.
1994 j. Section 817.60, relating to obtaining a credit card
1995 through fraudulent means.
1996 k. Section 817.61, relating to fraudulent use of credit
1997 cards, if the offense was a felony.
1998 l. Section 831.01, relating to forgery.
1999 m. Section 831.02, relating to uttering forged instruments.
2000 n. Section 831.07, relating to forging bank bills, checks,
2001 drafts, or promissory notes.
2002 o. Section 831.09, relating to uttering forged bank bills,
2003 checks, drafts, or promissory notes.
2004 p. Section 831.30, relating to fraud in obtaining medicinal
2005 drugs.
2006 q. Section 831.31, relating to the sale, manufacture,
2007 delivery, or possession with the intent to sell, manufacture, or
2008 deliver any counterfeit controlled substance, if the offense was
2009 a felony.
2010 6. At least 30 calendar days before a transfer of ownership
2011 of a private school, the owner or operator shall notify the



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2012 parent of each scholarship student.

2013 7. The owner or operator of a private school that has been
2014 deemed ineligible to participate in a scholarship program
2015 pursuant to this chapter may not transfer ownership or
2016 management authority of the school to a relative in order to
2017 participate in a scholarship program as the same school or a new
2018 school. For purposes of this subparagraph, the term "relative"
2019 means father, mother, son, daughter, grandfather, grandmother,
2020 brother, sister, uncle, aunt, cousin, nephew, niece, husband,
2021 wife, father-in-law, mother-in-law, son-in-law, daughter-in-law,
2022 brother-in-law, sister-in-law, stepfather, stepmother, stepson,
2023 stepdaughter, stepbrother, stepsister, half-brother, or half-
2024 sister.

2025 (q) Provide a report from an independent certified public
2026 accountant who performs the agreed-upon procedures developed
2027 pursuant to s. 1002.395(6)(q) ~~s. 1002.395(6)(e)~~ if the private
2028 school receives more than \$250,000 in funds from scholarships
2029 awarded under this chapter in a state fiscal year. A private
2030 school subject to this subsection must annually submit the
2031 report by September 15 to the scholarship-funding organization
2032 that awarded the majority of the school's scholarship funds.
2033 However, a school that receives more than \$250,000 in
2034 scholarship funds only through the John M. McKay Scholarship for
2035 Students with Disabilities Program pursuant to s. 1002.39 must
2036 submit the annual report by September 15 to the department. The
2037 agreed-upon procedures must be conducted in accordance with
2038 attestation standards established by the American Institute of
2039 Certified Public Accountants.

2040 (r) Prohibit education support employees, instructional



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2041 personnel, and school administrators from employment in any
2042 position that requires direct contact with students if the
2043 personnel or administrators are ineligible for such employment
2044 pursuant to this section or s. 1012.315, or have been terminated
2045 or have resigned in lieu of termination for sexual misconduct
2046 with a student. If the prohibited conduct occurs subsequent to
2047 employment, the private school must report the person and the
2048 disqualifying circumstances to the department for inclusion on
2049 the disqualification list maintained pursuant to s.
2050 1001.10(4)(b).

2051
2052 The department shall suspend the payment of funds to a private
2053 school that knowingly fails to comply with this subsection, and
2054 shall prohibit the school from enrolling new scholarship
2055 students, for 1 fiscal year and until the school complies. If a
2056 private school fails to meet the requirements of this subsection
2057 or has consecutive years of material exceptions listed in the
2058 report required under paragraph (q), the commissioner may
2059 determine that the private school is ineligible to participate
2060 in a scholarship program.

2061 (3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

2062 The Commissioner of Education:

2063 (c) May permanently deny or revoke the authority of an
2064 owner, an officer, or a director ~~or operator~~ to establish or
2065 operate a private school in this the state and include such
2066 individual on the disqualification list maintained by the
2067 department pursuant to s. 1001.10(4)(b) if the commissioner
2068 decides that the owner, officer, or director: ~~or operator~~

2069 1. Is operating or has operated an educational institution



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2070 in this ~~the~~ state or another state or jurisdiction in a manner
2071 contrary to the health, safety, or welfare of the public; or
2072 2. Has operated an educational institution that closed
2073 during the school year. An individual may be removed from the
2074 disqualification list if the individual reimburses the
2075 department or eligible nonprofit scholarship-funding
2076 organization the amount of scholarship funds received by the
2077 educational institution during the school year in which it
2078 closed, ~~and shall include such individuals on the~~
2079 ~~disqualification list maintained by the department pursuant to~~
2080 ~~s. 1001.10(4)(b).~~

2081 Section 9. Section 1002.44, Florida Statutes, is created to
2082 read:

2083 1002.44 Part-time public school enrollment.—

2084 (1) Any public school in this state, including a charter
2085 school, may enroll a student who meets the regular school
2086 attendance criteria in s. 1003.01(13)(b)-(f) on a part-time
2087 basis, subject to space and availability according to the
2088 school's capacity determined pursuant to s. 1002.31(2)(b).

2089 (2) A student attending a public school on a part-time
2090 basis pursuant to this section shall generate full-time
2091 equivalent student membership as described in s. 1011.61(1)(b).

2092 A student receiving a scholarship under this chapter who attends
2093 a public school on a part-time basis through contracted services
2094 provided by the public school or school district may not be
2095 reported for funding.

2096 (3) A student attending a public school on a part-time
2097 basis pursuant to this section is not considered to be in
2098 regular attendance at a public school as defined in s.



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2099 1003.01(13)(a).

2100 Section 10. Paragraphs (d) and (e) of subsection (13) and
2101 subsection (14) of section 1003.01, Florida Statutes, are
2102 amended, and paragraph (f) is added to subsection (13) of that
2103 section, to read:

2104 1003.01 Definitions.—As used in this chapter, the term:

2105 (13) “Regular school attendance” means the actual
2106 attendance of a student during the school day as defined by law
2107 and rules of the State Board of Education. Regular attendance
2108 within the intent of s. 1003.21 may be achieved by attendance
2109 in:

2110 (d) A home education program that meets the requirements of
2111 chapter 1002; ~~or~~

2112 (e) A private tutoring program that meets the requirements
2113 of chapter 1002; or—

2114 (f) A personalized education program that meets the
2115 requirements of s. 1002.395.

2116 (14) “Core-curricula courses” means:

2117 (a) Courses in language arts/reading, mathematics, social
2118 studies, and science in prekindergarten through grade 3,
2119 excluding extracurricular courses pursuant to subsection (15);

2120 (b) Courses in grades 4 through 8 in subjects that are
2121 measured by state assessment at any grade level and courses
2122 required for middle school promotion, excluding extracurricular
2123 courses pursuant to subsection (15);

2124 (c) Courses in grades 9 through 12 in subjects that are
2125 measured by state assessment at any grade level and courses that
2126 are specifically identified by name in statute as required for
2127 high school graduation and that are not measured by state



2128 assessment, excluding extracurricular courses pursuant to
2129 subsection (15);

2130 (d) Exceptional student education courses; and

2131 (e) English for Speakers of Other Languages courses.

2132

2133 The term is limited in meaning and used for the sole purpose of
2134 designating classes that are subject to the maximum class size
2135 requirements established in s. 1, Art. IX of the State
2136 Constitution. This term does not include courses offered under
2137 ss. 1002.321(3)(e), 1002.33(7)(a)2.b., 1002.37, 1002.45, and
2138 1003.499 ~~ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37,~~
2139 ~~1002.45, and 1003.499.~~

2140 Section 11. No later than November 1, 2023, the State Board
2141 of Education shall develop and recommend to the Governor and
2142 Legislature for adoption during the 2024 legislative session
2143 repeals and revisions to the Florida Early Learning-20 Education
2144 Code, chapters 1000-1013, Florida Statutes, to reduce regulation
2145 of public schools. The state board shall review the entirety of
2146 the Florida Early Learning-20 Education Code for potential
2147 repeals and revisions. The state board must make recommendations
2148 addressing repeals and revisions to the statutes governing the
2149 transportation of students. The state board shall consider input
2150 from teachers, superintendents, administrators, school boards,
2151 public and private postsecondary institutions, home educators,
2152 and other entities identified by the state board.

2153 Section 12. Subsection (10) is added to section 1001.10,
2154 Florida Statutes, to read:

2155 1001.10 Commissioner of Education; general powers and
2156 duties.-



2157 (10) Due to the range of school choice options and the
2158 variety of ways students learn, the commissioner shall develop
2159 an online portal that enables parents to choose the best
2160 educational options for their student. The portal, at a minimum,
2161 must:

2162 (a) Recommend educational options based on questions about
2163 the student, including the needs and interests of the student.

2164 (b) Advise parents on the recommended educational options
2165 for their student.

2166 (c) Enable schools to develop a school profile and connect
2167 directly with families who express interest in the school.

2168 (d) Allow parents to complete the school enrollment
2169 process.

2170 Section 13. Paragraph (c) of subsection (22) of section
2171 1002.20, Florida Statutes, is amended to read:

2172 1002.20 K-12 student and parent rights.—Parents of public
2173 school students must receive accurate and timely information
2174 regarding their child's academic progress and must be informed
2175 of ways they can help their child to succeed in school. K-12
2176 students and their parents are afforded numerous statutory
2177 rights including, but not limited to, the following:

2178 (22) TRANSPORTATION.—

2179 (c) *Parental consent.*—Each parent of a public school
2180 student must be notified in writing and give written consent
2181 before the student may be transported in a privately owned motor
2182 vehicle to a school function, ~~in accordance with the provisions~~
2183 ~~of s. 1006.22(2)(b).~~

2184 Section 14. Subsection (2) of section 1003.25, Florida
2185 Statutes, is amended to read:



2186 1003.25 Procedures for maintenance and transfer of student
2187 records.—

2188 (2) The procedure for transferring and maintaining records
2189 of students who transfer from school to school shall be
2190 prescribed by rules of the State Board of Education. The
2191 transfer of records shall occur within 5 ~~3~~ school days. The
2192 records shall include:

2193 (a) Verified reports of serious or recurrent behavior
2194 patterns, including threat assessment evaluations and
2195 intervention services.

2196 (b) Psychological evaluations, including therapeutic
2197 treatment plans and therapy or progress notes created or
2198 maintained by school district or charter school staff, as
2199 appropriate.

2200 Section 15. Subsection (4) of section 1003.4282, Florida
2201 Statutes, is amended to read:

2202 1003.4282 Requirements for a standard high school diploma.—

2203 ~~(4) ONLINE COURSE REQUIREMENT. At least one course within~~
2204 ~~the 24 credits required under this section must be completed~~
2205 ~~through online learning.~~

2206 ~~(a) An online course taken in grade 6, grade 7, or grade 8~~
2207 ~~fulfills the requirements of this subsection. The requirement is~~
2208 ~~met through an online course offered by the Florida Virtual~~
2209 ~~School, a virtual education provider approved by the State Board~~
2210 ~~of Education, a high school, or an online dual enrollment~~
2211 ~~course. A student who is enrolled in a full-time or part-time~~
2212 ~~virtual instruction program under s. 1002.45 meets the~~
2213 ~~requirement.~~

2214 ~~(b) A district school board or a charter school governing~~



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2215 ~~board, as applicable, may allow a student to satisfy the online~~
2216 ~~course requirements of this subsection by completing a blended~~
2217 ~~learning course or a course in which the student earns a~~
2218 ~~nationally recognized industry certification in information~~
2219 ~~technology that is identified on the CAPE Industry Certification~~
2220 ~~Funding List pursuant to s. 1008.44 or passing the information~~
2221 ~~technology certification examination without enrolling in or~~
2222 ~~completing the corresponding course or courses, as applicable.~~

2223
2224 ~~For purposes of this subsection, a school district may not~~
2225 ~~require a student to take the online or blended learning course~~
2226 ~~outside the school day or in addition to a student's courses for~~
2227 ~~a given semester. This subsection does not apply to a student~~
2228 ~~who has an individual education plan under s. 1003.57 which~~
2229 ~~indicates that an online or blended learning course would be~~
2230 ~~inappropriate or to an out-of-state transfer student who is~~
2231 ~~enrolled in a Florida high school and has 1 academic year or~~
2232 ~~less remaining in high school.~~

2233 Section 16. Subsection (2) of section 1006.21, Florida
2234 Statutes, is amended to read:

2235 1006.21 Duties of district school superintendent and
2236 district school board regarding transportation.-

2237 (2) After considering recommendations of the district
2238 school superintendent, the district school board shall make
2239 provision for the transportation of students to the public
2240 schools or school activities they are required or expected to
2241 attend; authorize transportation routes arranged efficiently and
2242 economically; provide the necessary transportation facilities,
2243 and, when authorized under rules of the State Board of Education



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2244 and if more economical to do so, provide limited subsistence in
2245 lieu thereof; and adopt the necessary rules to ensure safety,
2246 economy, and efficiency in the operation of all buses and other
2247 vehicles used to transport students, as prescribed in this
2248 chapter.

2249 Section 17. Subsections (1), (2), (11), and (13) of section
2250 1006.22, Florida Statutes, are amended to read:

2251 1006.22 Safety and health of students being transported.—
2252 Maximum regard for safety and adequate protection of health are
2253 primary requirements that must be observed by district school
2254 boards in routing buses, appointing drivers, and providing and
2255 operating equipment, in accordance with all requirements of law
2256 and rules of the State Board of Education in providing
2257 transportation pursuant to s. 1006.21:

2258 ~~(1)(a) District school boards shall use school buses, as~~
2259 ~~defined in s. 1006.25, for all regular transportation. Regular~~
2260 ~~transportation or regular use means transportation of students~~
2261 ~~to and from school or school-related activities that are part of~~
2262 ~~a scheduled series or sequence of events to the same location.~~
2263 ~~“Students” means, for the purposes of this section, students~~
2264 ~~enrolled in the public schools in prekindergarten disability~~
2265 ~~programs and in kindergarten through grade 12. District school~~
2266 ~~boards may regularly use motor vehicles other than school buses~~
2267 ~~only under the following conditions:~~

2268 ~~1. When the transportation is for physically handicapped or~~
2269 ~~isolated students and the district school board has elected to~~
2270 ~~provide for the transportation of the student through written or~~
2271 ~~oral contracts or agreements.~~

2272 ~~2. When the transportation is a part of a comprehensive~~



2273 ~~contract for a specialized educational program between a~~
2274 ~~district school board and a service provider who provides~~
2275 ~~instruction, transportation, and other services.~~

2276 ~~3. When the transportation is provided through a public~~
2277 ~~transit system.~~

2278 ~~4. When the transportation is for trips to and from school~~
2279 ~~sites or agricultural education sites or for trips to and from~~
2280 ~~agricultural education-related events or competitions, but is~~
2281 ~~not for customary transportation between a student's residence~~
2282 ~~and such sites.~~

2283 ~~5. When the transportation is for trips to and from school~~
2284 ~~sites but is not for customary transportation between a~~
2285 ~~student's residence and such sites.~~

2286 ~~(b) When the transportation of students is provided, as~~
2287 ~~authorized in this subsection, in a vehicle other than a school~~
2288 ~~bus that is owned, operated, rented, contracted, or leased by a~~
2289 ~~school district or charter school, the following provisions~~
2290 ~~shall apply:~~

2291 ~~1. The vehicle must be designed to transport fewer than 10~~
2292 ~~students or be a multifunction school activity bus, as defined~~
2293 ~~in 49 C.F.R. s. 571.3, if it is designed to transport more than~~
2294 ~~10 persons. Students must be transported in designated seating~~
2295 ~~positions and must use the occupant crash protection system~~
2296 ~~provided by the manufacturer unless the student's physical~~
2297 ~~condition prohibits such use.~~

2298 ~~2. An authorized vehicle may not be driven by a student on~~
2299 ~~a public right-of-way. An authorized vehicle may be driven by a~~
2300 ~~student on school or private property as part of the student's~~
2301 ~~educational curriculum if no other student is in the vehicle.~~



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2302 ~~3. The driver of an authorized vehicle transporting~~
2303 ~~students must maintain a valid driver license and must comply~~
2304 ~~with the requirements of the school district's locally adopted~~
2305 ~~safe driver plan, which includes review of driving records for~~
2306 ~~disqualifying violations.~~

2307 ~~4. The district school board or charter school must adopt a~~
2308 ~~policy that addresses procedures and liability for trips under~~
2309 ~~this paragraph, including a provision that school buses are to~~
2310 ~~be used whenever practical and specifying consequences for~~
2311 ~~violation of the policy.~~

2312 ~~(1)(2) Except as provided in subsection (1), District~~
2313 ~~school boards may authorize the transportation of students in~~
2314 ~~privately owned motor vehicles on a case-by-case basis only in~~
2315 ~~the following circumstances:~~

2316 ~~(a) When a student is ill or injured and must be taken home~~
2317 ~~or to a medical treatment facility under nonemergency~~
2318 ~~circumstances; and~~

2319 ~~1. The school has been unable to contact the student's~~
2320 ~~parent or the parent or responsible adult designated by the~~
2321 ~~parent is not available to provide the transportation;~~

2322 ~~2. Proper adult supervision of the student is available at~~
2323 ~~the location to which the student is being transported;~~

2324 ~~3. The transportation is approved by the school principal,~~
2325 ~~or a school administrator designated by the principal to grant~~
2326 ~~or deny such approval, or in the absence of the principal and~~
2327 ~~designee, by the highest ranking school administrator or teacher~~
2328 ~~available under the circumstances; and~~

2329 ~~4. If the school has been unable to contact the parent~~
2330 ~~prior to the transportation, the school shall continue to seek~~



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2331 ~~to contact the parent until the school is able to notify the~~
2332 ~~parent of the transportation and the pertinent circumstances.~~

2333 ~~(b) When the transportation is in connection with a school~~
2334 ~~function or event regarding which the district school board or~~
2335 ~~school has undertaken to participate or to sponsor or provide~~
2336 ~~the participation of students; and~~

2337 ~~1. The function or event is a single event that is not part~~
2338 ~~of a scheduled series or sequence of events to the same~~
2339 ~~location, such as, but not limited to, a field trip, a~~
2340 ~~recreational outing, an interscholastic competition or~~
2341 ~~cooperative event, an event connected with an extracurricular~~
2342 ~~activity offered by the school, or an event connected to an~~
2343 ~~educational program, such as, but not limited to, a job~~
2344 ~~interview as part of a cooperative education program;~~

2345 ~~2. Transportation is not available, as a practical matter,~~
2346 ~~using a school bus or school district passenger car; and~~

2347 ~~3. Each student's parent is notified, in writing, regarding~~
2348 ~~the transportation arrangement and gives written consent before~~
2349 ~~a student is transported in a privately owned motor vehicle.~~

2350 ~~(c) When a district school board requires employees such as~~
2351 ~~school social workers and attendance officers to use their own~~
2352 ~~motor vehicles to perform duties of employment, and such duties~~
2353 ~~include the occasional transportation of students.~~

2354 ~~(10)~~ ~~(11)~~ The district school superintendent shall notify
2355 the district school board of any school bus or other vehicle
2356 used to transport students that does not meet all requirements
2357 of law and rules of the State Board of Education, and the
2358 district school board shall, if the school bus is in an unsafe
2359 condition, withdraw it from use as a school bus until the bus



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2360 meets the requirements. The department may inspect or have
2361 inspected any school bus to determine whether the bus meets
2362 requirements of law and rules of the State Board of Education.
2363 The department may, after due notice to a district school board
2364 that any school bus does not meet certain requirements of law
2365 and rules of the State Board of Education, rule that the bus
2366 must be withdrawn from use as a school bus, this ruling to be
2367 effective immediately or upon a date specified in the ruling,
2368 whereupon the district school board shall withdraw the school
2369 bus from use as a school bus until it meets requirements of law
2370 and rules of the State Board of Education and until the
2371 department has officially revoked the pertinent ruling.
2372 Notwithstanding any other provisions of this chapter, general
2373 purpose urban transit systems are declared qualified to
2374 transport students to and from school.

2375 (12) ~~(13)~~ The State Board of Education may adopt rules to
2376 implement this section as are necessary to protect or desirable
2377 ~~in the interest of~~ student health and safety.

2378 Section 18. Subsection (4) of section 1006.25, Florida
2379 Statutes, is amended to read:

2380 1006.25 School buses.—School buses shall be defined and
2381 meet specifications as follows:

2382 (4) OCCUPANT PROTECTION SYSTEMS.—Students may be
2383 transported only in designated seating positions, except as
2384 provided in s. 1006.22(11) ~~s. 1006.22(12)~~, and must use the
2385 occupant crash protection system provided by the manufacturer,
2386 which system must comply with the requirements of 49 C.F.R. part
2387 571 or with specifications of the State Board of Education.

2388 Section 19. Subsection (1) of section 1006.27, Florida



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2389 Statutes, is amended to read:

2390 1006.27 Pooling of school buses and other vehicles and
2391 related purchases by district school boards; transportation
2392 services contracts.—

2393 (1) The department shall assist district school boards in
2394 securing school buses and other vehicles for transporting
2395 students, contractual needs, equipment, and supplies at as
2396 reasonable prices as possible by providing a plan under which
2397 district school boards may voluntarily pool their bids for such
2398 purchases. The department shall prepare bid forms and
2399 specifications, obtain quotations of prices and make such
2400 information available to district school boards in order to
2401 facilitate this service. District school boards from time to
2402 time, as prescribed by State Board of Education rule, shall
2403 furnish the department with information concerning the prices
2404 paid for such items and the department shall furnish to district
2405 school boards periodic information concerning the lowest prices
2406 at which school buses and other vehicles, equipment, and related
2407 supplies are available based upon comparable specifications.

2408 Section 20. Paragraph (k) is added to subsection (2) of
2409 section 1011.71, Florida Statutes, to read:

2410 1011.71 District school tax.—

2411 (2) In addition to the maximum millage levy as provided in
2412 subsection (1), each school board may levy not more than 1.5
2413 mills against the taxable value for school purposes for charter
2414 schools pursuant to s. 1013.62(1) and (3) and for district
2415 schools to fund:

2416 (k) Payment of salaries and benefits for employees whose
2417 job duties support activities funded by this subsection.



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2418 Section 21. Effective upon this act becoming a law,
2419 subsection (3), paragraphs (d), (g), and (h) of subsection (5),
2420 paragraph (f) of subsection (6), and paragraphs (d) and (e) of
2421 subsection (7) of section 1012.56, Florida Statutes, are
2422 amended, and paragraph (i) is added to subsection (5) of that
2423 section, to read:

2424 1012.56 Educator certification requirements.—

2425 (3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of
2426 demonstrating mastery of general knowledge are:

2427 (a) Achievement of passing scores on the general knowledge
2428 examination required by state board rule;

2429 (b) Documentation of a valid professional standard teaching
2430 certificate issued by another state;

2431 (c) Documentation of a valid certificate issued by the
2432 National Board for Professional Teaching Standards or a national
2433 educator credentialing board approved by the State Board of
2434 Education;

2435 (d) Documentation of two semesters of successful, full-time
2436 or part-time teaching in a Florida College System institution,
2437 state university, or private college or university that awards
2438 an associate or higher degree and is an accredited institution
2439 or an institution of higher education identified by the
2440 Department of Education as having a quality program;

2441 (e) Achievement of passing scores, identified in state
2442 board rule, on national or international examinations that test
2443 comparable content and relevant standards in verbal, analytical
2444 writing, and quantitative reasoning skills, including, but not
2445 limited to, the verbal, analytical writing, and quantitative
2446 reasoning portions of the Graduate Record Examination. Passing



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2447 scores identified in state board rule must be at approximately
2448 the same level of rigor as is required to pass the general
2449 knowledge examinations; or

2450 (f) Documentation of receipt of a master's or higher degree
2451 from an accredited postsecondary educational institution that
2452 the Department of Education has identified as having a quality
2453 program resulting in a baccalaureate degree or higher.

2454
2455 A school district that employs an individual who does not
2456 achieve passing scores on any subtest of the general knowledge
2457 examination must provide information regarding the availability
2458 of state-level and district-level supports and instruction to
2459 assist him or her in achieving a passing score. Such information
2460 must include, but need not be limited to, state-level test
2461 information guides, school district test preparation resources,
2462 and preparation courses offered by state universities and
2463 Florida College System institutions. The requirement of mastery
2464 of general knowledge must be waived for an individual who has
2465 been provided 3 years of supports and instruction and who has
2466 been rated effective or highly effective under s. 1012.34 for
2467 each of the last 3 years.

2468 (5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of
2469 demonstrating mastery of subject area knowledge are:

2470 (d) For a subject requiring a master's or higher degree,
2471 completion of the subject area specialization requirements
2472 specified in state board rule and achievement of a passing score
2473 on the Florida-developed subject area examination or a
2474 standardized examination that is directly related to the subject
2475 specified in state board rule;



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2476 (g) Documentation of successful completion of a United
2477 States Defense Language Institute Foreign Language Center
2478 program; ~~or~~

2479 (h) Documentation of a passing score on the Defense
2480 Language Proficiency Test (DLPT); or

2481 (i) For a subject requiring only a baccalaureate degree for
2482 which a Florida subject area examination has been developed,
2483 documentation of receipt of a master's or higher degree from an
2484 accredited postsecondary educational institution that the
2485 Department of Education has identified as having a quality
2486 program resulting in a baccalaureate degree or higher in the
2487 certificate subject area as identified by state board rule.

2488
2489 School districts are encouraged to provide mechanisms for middle
2490 grades teachers holding only a K-6 teaching certificate to
2491 obtain a subject area coverage for middle grades through
2492 postsecondary coursework or district add-on certification.

2493 (6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION
2494 COMPETENCE.—Acceptable means of demonstrating mastery of
2495 professional preparation and education competence are:

2496 (f) Successful completion of professional preparation
2497 courses as specified in state board rule, successful completion
2498 of a professional preparation and education competence program
2499 pursuant to paragraph (8) (b), and documentation of 3 years of
2500 being rated effective or highly effective under s. 1012.34 while
2501 holding a temporary certificate ~~achievement of a passing score~~
2502 ~~on the professional education competency examination required by~~
2503 ~~state board rule;~~

2504



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2505 The State Board of Education shall adopt rules to implement this
2506 subsection by December 31, 2014, including rules to approve
2507 specific teacher preparation programs that are not identified in
2508 this subsection which may be used to meet requirements for
2509 mastery of professional preparation and education competence.

2510 (7) TYPES AND TERMS OF CERTIFICATION.—

2511 (d) A person who is issued a temporary certificate under
2512 paragraph (b) subparagraph (b)2. must be assigned a teacher
2513 mentor for a minimum of 2 school years after commencing
2514 employment. Each teacher mentor selected by the school district,
2515 charter school, or charter management organization must:

2516 1. Hold a valid professional certificate issued pursuant to
2517 this section;

2518 2. Have earned at least 3 years of teaching experience in
2519 prekindergarten through grade 12; and

2520 3. Have earned an effective or highly effective rating on
2521 the prior year's performance evaluation under s. 1012.34.

2522 (e)~~1.~~ A temporary certificate issued under paragraph (b)
2523 ~~subparagraph (b)1.~~ is valid for 5 ~~3~~ school fiscal years and is
2524 nonrenewable.

2525 ~~2. A temporary certificate issued under subparagraph (b)2.~~
2526 ~~is valid for 5 school fiscal years, is limited to a one-time~~
2527 ~~issuance, and is nonrenewable.~~

2528
2529 At least 1 year before an individual's temporary certificate is
2530 set to expire, the department shall electronically notify the
2531 individual of the date on which his or her certificate will
2532 expire and provide a list of each method by which the
2533 qualifications for a professional certificate can be completed.



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2534 The State Board of Education shall adopt rules to allow the
2535 department to extend the validity period of a temporary
2536 certificate for 2 years when the requirements for the
2537 professional certificate were not completed due to the serious
2538 illness or injury of the applicant, the military service of an
2539 applicant's spouse, other extraordinary extenuating
2540 circumstances, or if the certificateholder is rated highly
2541 effective in the immediate prior year's performance evaluation
2542 pursuant to s. 1012.34 or has completed a 2-year mentorship
2543 program pursuant to subsection (8). The department shall extend
2544 the temporary certificate upon approval by the Commissioner of
2545 Education. A written request for extension of the certificate
2546 shall be submitted by the district school superintendent, the
2547 governing authority of a university lab school, the governing
2548 authority of a state-supported school, or the governing
2549 authority of a private school.

2550 Section 22. Paragraph (e) is added to subsection (6) of
2551 section 1013.64, Florida Statutes, to read:

2552 1013.64 Funds for comprehensive educational plant needs;
2553 construction cost maximums for school district capital
2554 projects.—Allocations from the Public Education Capital Outlay
2555 and Debt Service Trust Fund to the various boards for capital
2556 outlay projects shall be determined as follows:

2557 (6)

2558 (e) Notwithstanding the requirements of this subsection, an
2559 unfinished construction project for new construction of
2560 educational plant space that was started on or before July 1,
2561 2026, is exempt from the total cost per student station
2562 requirements established in paragraph (b).



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2563 Section 23. Subsection (3) of section 1002.321, Florida
2564 Statutes, is amended to read:

2565 1002.321 Digital learning.—

2566 ~~(3) DIGITAL PREPARATION. As required under s. 1003.4282, A~~
2567 ~~student entering grade 9 in the 2011-2012 school year and~~
2568 ~~thereafter who seeks a high school diploma must take at least~~
2569 ~~one online course.~~

2570 Section 24. Paragraphs (a) and (b) of subsection (2) of
2571 section 1003.5716, Florida Statutes, are amended to read:

2572 1003.5716 Transition to postsecondary education and career
2573 opportunities.—All students with disabilities who are 3 years of
2574 age to 21 years of age have the right to a free, appropriate
2575 public education. As used in this section, the term "IEP" means
2576 individual education plan.

2577 (2) Beginning not later than the first IEP to be in effect
2578 when the student enters high school, attains the age of 14, or
2579 when determined appropriate by the parent and the IEP team,
2580 whichever occurs first, the IEP must include the following
2581 statements that must be updated annually:

2582 (a) A statement of intent to pursue a standard high school
2583 diploma and a Scholar or Merit designation, pursuant to s.
2584 1003.4285, as determined by the parent.

2585 1. The statement must document discussion of the process
2586 for a student with a disability who meets the requirements for a
2587 standard high school diploma to defer the receipt of such
2588 diploma pursuant to s. 1003.4282(8)(c) ~~s. 1003.4282(9)(e)~~.

2589 2. For the IEP in effect at the beginning of the school
2590 year the student is expected to graduate, the statement must
2591 include a signed statement by the parent, the guardian, or the



2592 student, if the student has reached the age of majority and
2593 rights have transferred to the student, that he or she
2594 understands the process for deferment and identifying if the
2595 student will defer the receipt of his or her standard high
2596 school diploma.

2597 (b) A statement of intent to receive a standard high school
2598 diploma before the student attains the age of 22 and a
2599 description of how the student will fully meet the requirements
2600 in s. 1003.4282, including, but not limited to, a portfolio
2601 pursuant to s. 1003.4282(8)(b) ~~s. 1003.4282(9)(b)~~ which meets
2602 the criteria specified in State Board of Education rule. The IEP
2603 must also specify the outcomes and additional benefits expected
2604 by the parent and the IEP team at the time of the student's
2605 graduation.

2606 Section 25. Subsection (2) of section 1003.499, Florida
2607 Statutes, is amended to read:

2608 1003.499 Florida Approved Courses and Tests (FACT)
2609 Initiative.—

2610 (2) FLORIDA APPROVED COURSES.—The Department of Education
2611 shall annually publish online a list of providers approved to
2612 offer Florida approved courses which shall be listed in the
2613 online catalog pursuant to s. 1002.321(5) ~~s. 1002.321(6)~~.

2614 (a) As used in this section, the term "Florida approved
2615 courses" means online courses provided by individuals which
2616 include, but are not limited to, massive open online courses or
2617 remedial education associated with the courses that are measured
2618 pursuant to s. 1008.22. Massive open online courses may be
2619 authorized in the following subject areas: Algebra I, biology,
2620 geometry, and civics. Courses may be applied toward requirements



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2621 for promotion or graduation in whole, in subparts, or in a
2622 combination of whole and subparts. A student may not be required
2623 to repeat subparts that are satisfactorily completed.

2624 (b) A Florida approved course must be annually identified,
2625 approved, published, and shared for consideration by interested
2626 students and school districts. The Commissioner of Education
2627 shall approve each Florida approved course for application in K-
2628 12 public schools in accordance with rules of the State Board of
2629 Education.

2630 Section 26. Paragraph (c) of subsection (2) of section
2631 1003.27, Florida Statutes, is amended to read:

2632 1003.27 Court procedure and penalties.—The court procedure
2633 and penalties for the enforcement of the provisions of this
2634 part, relating to compulsory school attendance, shall be as
2635 follows:

2636 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

2637 (c) Each designee of the governing body of each private
2638 school and each parent whose child is enrolled in a home
2639 education program or personalized education program may provide
2640 the Department of Highway Safety and Motor Vehicles with the
2641 legal name, sex, date of birth, and social security number of
2642 each minor student under his or her jurisdiction who fails to
2643 satisfy relevant attendance requirements and who fails to
2644 otherwise satisfy the requirements of s. 322.091. The Department
2645 of Highway Safety and Motor Vehicles may not issue a driver
2646 license or learner's driver license to, and shall suspend any
2647 previously issued driver license or learner's driver license of,
2648 any such minor student pursuant to s. 322.091.

2649 Section 27. Paragraph (k) of subsection (4) of section



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2650 1003.485, Florida Statutes, is amended to read:
2651 1003.485 The New Worlds Reading Initiative.—
2652 (4) ADMINISTRATOR RESPONSIBILITIES.—The administrator
2653 shall:
2654 (k) Expend eligible contributions received only for the
2655 purchase and delivery of books and to implement the requirements
2656 of this section, as well as for administrative expenses not to
2657 exceed 2 percent of total eligible contributions.
2658 Notwithstanding s. 1002.395(6)(l)2. ~~s. 1002.395(6)(j)2.~~, the
2659 administrator may carry forward up to 25 percent of eligible
2660 contributions made before January 1 of each state fiscal year
2661 and 100 percent of eligible contributions made on or after
2662 January 1 of each state fiscal year to the following state
2663 fiscal year for purposes authorized by this subsection. Any
2664 eligible contributions in excess of the allowable carry forward
2665 not used to provide additional books throughout the year to
2666 eligible students shall revert to the state treasury.
2667 Section 28. Subsections (3) and (5) of section 1009.30,
2668 Florida Statutes, are amended to read:
2669 1009.30 Dual Enrollment Scholarship Program.—
2670 (3)(a) The program shall reimburse eligible postsecondary
2671 institutions for tuition and related instructional materials
2672 costs for dual enrollment courses taken during the fall or
2673 spring terms by eligible students, consisting of:
2674 1. Private school students who take dual enrollment courses
2675 pursuant to s. 1007.271(24)(b); ~~or~~
2676 2. Home education program secondary students; or
2677 3. Personalized education program secondary students.
2678 (b) ~~Beginning in the 2022 summer term,~~ The program shall



2679 reimburse institutions for tuition and related instructional
2680 materials costs for dual enrollment courses taken by public
2681 school, private school, ~~or~~ home education program secondary
2682 students, or personalized education program secondary students
2683 during the summer term.

2684 (5) Each participating institution must report to the
2685 department any ~~eligible~~ secondary students eligible pursuant to
2686 subsection (3) from private schools or home education programs
2687 who were enrolled during the fall or spring terms within 30 days
2688 after the end of regular registration. Each participating
2689 institution must report to the department any secondary students
2690 eligible pursuant to subsection (3) public school, private
2691 school, or home education program students who were enrolled
2692 during the summer term within 30 days after the end of regular
2693 registration. For each dual enrollment course in which the
2694 student is enrolled, the report must include a unique student
2695 identifier, the postsecondary institution name, the
2696 postsecondary course number, and the postsecondary course name.
2697 The department shall reimburse each participating institution no
2698 later than 30 days after the institution has reported enrollment
2699 for that term.

2700 Section 29. Except as otherwise expressly provided in this
2701 act and except for this section, which shall take effect upon
2702 this act becoming a law, this act shall take effect July 1,
2703 2023.

2704
2705 ===== T I T L E A M E N D M E N T =====

2706 And the title is amended as follows:

2707 Delete everything before the enacting clause



2708 and insert:

2709 A bill to be entitled
2710 An act relating to education; amending ss. 11.45,
2711 212.099, and 327.371, F.S.; conforming cross-
2712 references; amending s. 1002.01, F.S.; defining the
2713 term "personalized education program"; amending s.
2714 1002.394, F.S.; providing and revising definitions;
2715 revising student eligibility and ineligibility
2716 requirements for the Family Empowerment Scholarship
2717 Program; revising the approved uses of scholarship
2718 funds; providing that certain scholarships remain in
2719 force until certain criteria are met; requiring the
2720 closure of a scholarship account and the reversion of
2721 funds to the state under certain circumstances;
2722 authorizing reimbursements for certain expenditures
2723 until certain criteria are met; revising obligations
2724 of school districts, the Department of Education,
2725 private schools, and eligible nonprofit scholarship-
2726 funding organizations; revising responsibilities of
2727 parents; requiring scholarship funds to be deposited
2728 by funds transfers rather than through warrant
2729 endorsement; requiring certain criteria to be met
2730 before the funding of certain scholarships; revising
2731 provisions for the calculation of an award amount for
2732 certain students; prohibiting the transfer of funds to
2733 an eligible student's account under certain
2734 conditions; deleting obsolete language; conforming
2735 provisions and cross-references to changes made by the
2736 act; amending s. 1002.395, F.S.; providing and



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2737 revising definitions; revising student eligibility and
2738 ineligibility requirements for the Florida Tax Credit
2739 Scholarship Program; revising obligations of eligible
2740 nonprofit scholarship-funding organizations and the
2741 department; establishing certain limitations on the
2742 number of scholarships funded through the program;
2743 revising the approved uses of scholarship funds;
2744 revising requirements for the use of certain
2745 contributions for administrative expenses; revising
2746 the amount of funds that must be awarded through
2747 scholarships; requiring the development of specified
2748 guidelines; authorizing organizations to require the
2749 use of an online platform for specified purchases so
2750 long as such use does not limit specified choices;
2751 requiring an organization to provide reimbursement in
2752 specified circumstances; requiring organizations to
2753 submit specified quarterly reports; revising
2754 responsibilities of parents; requiring scholarship
2755 funds to be deposited by funds transfers rather than
2756 through warrant endorsement; requiring the department
2757 to annually publish a list of specified tests;
2758 revising the requirements of a specified annual
2759 report; requiring the department to notify school
2760 districts of specified estimates; prohibiting the
2761 transfer of funds to an eligible student's account
2762 under certain conditions; providing that certain
2763 scholarships remain in force until certain criteria
2764 are met; authorizing reimbursements for certain
2765 expenditures until certain criteria are met; requiring



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2766 the closure of a scholarship account and the reversion
2767 of funds to the state under certain circumstances;
2768 requiring the Office of Independent Education and
2769 Parental Choice to provide a specified number of
2770 application periods for specified purposes; deleting
2771 obsolete language; conforming provisions and cross-
2772 references to changes made by the act; amending s.
2773 1002.40, F.S.; conforming cross-references; amending
2774 s. 1002.421, F.S.; revising the eligibility criteria
2775 and obligations of private schools participating in
2776 certain educational scholarship programs; revising the
2777 criteria for the Commissioner of Education to
2778 permanently deny or revoke the authority of certain
2779 individuals to establish or operate a private school
2780 in this state; authorizing the commissioner to include
2781 specified individuals on a specified disqualification
2782 list; authorizing that such individuals be removed
2783 from such list if they provide specified
2784 reimbursements; making technical changes; conforming
2785 cross-references; creating s. 1002.44, F.S.;
2786 authorizing public schools, including charter schools,
2787 to enroll certain students on a part-time basis;
2788 providing funding for such students; prohibiting
2789 certain students from being reported for funding;
2790 providing that such students are not considered to be
2791 in regular attendance at such schools; amending s.
2792 1003.01, F.S.; conforming provisions and cross-
2793 references to changes made by the act; requiring the
2794 State Board of Education to develop and recommend to



2795 the Governor and the Legislature for adoption during
2796 the 2024 legislative session repeals and revisions to
2797 the Florida Early Learning-20 Education Code by a
2798 specified date; providing requirements for the state
2799 board relating to such recommendations; amending s.
2800 1001.10, F.S.; requiring the Commissioner of Education
2801 to develop an online portal for specified purpose;
2802 providing requirements for such portal; amending s.
2803 1002.20, F.S.; conforming a cross-reference; amending
2804 s. 1003.25, F.S.; revising the timeframe in which
2805 student records must be transferred; amending s.
2806 1003.4282, F.S.; deleting the online course
2807 requirement for a standard high school diploma;
2808 amending s. 1006.21, F.S.; authorizing a district
2809 school board to use other vehicles to transport
2810 students; amending s. 1006.22, F.S.; deleting a
2811 requirement that district school boards use school
2812 buses for all regular transportation; deleting
2813 provisions relating to circumstances in which students
2814 may be transported in privately owned motor vehicles;
2815 conforming a provision to changes made by the act;
2816 amending s. 1006.25, F.S.; conforming a cross-
2817 reference; amending s. 1006.27, F.S.; conforming
2818 provisions to changes made by the act; amending s.
2819 1011.71, F.S.; authorizing that a specified district
2820 school board levy be used to pay salaries and benefits
2821 for specified employees; amending s. 1012.56, F.S.;
2822 exempting specified individuals from certain mastery
2823 of general knowledge requirements; revising the



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2824 acceptable means of demonstrating mastery of subject
2825 area knowledge and mastery of professional preparation
2826 and education competence, respectively; revising
2827 requirements for the department to issue temporary
2828 certificates; revising the validity period for certain
2829 temporary certificates; amending s. 1013.64, F.S.;
2830 providing that certain construction projects are
2831 exempt from the total cost per student station
2832 requirements; amending ss. 1002.321, 1003.5716,
2833 1003.499, 1003.27, 1003.485, and 1009.30, F.S.;
2834 conforming cross-references and provisions to changes
2835 made by the act; providing effective dates.

By the Appropriations Committee on Education; and Senators
Simon, Perry, and Collins

602-02378-23

2023202c1

1 A bill to be entitled
2 An act relating to K-12 education; amending s.
3 212.099, F.S.; conforming a cross-reference; amending
4 s. 1002.394, F.S.; defining terms; revising student
5 eligibility and ineligibility requirements for the
6 Family Empowerment Scholarship Program; revising the
7 authorized uses of scholarship funds; authorizing a
8 student participating in the program to be enrolled in
9 a home education program; providing that certain
10 scholarships remain in force until certain criteria
11 are met; requiring the closing of a scholarship
12 account and the reversion of funds to the state under
13 certain circumstances; authorizing reimbursements for
14 certain expenditures until certain criteria are met;
15 requiring the Department of Education to notify school
16 districts of specified information; requiring
17 scholarship funds to be deposited by fund transfers,
18 rather than through the endorsements of warrants;
19 providing requirements for parents of students
20 enrolled in a home education program under the
21 program; revising obligations of eligible nonprofit
22 scholarship-funding organizations; revising and
23 establishing certain limitations on the number of
24 scholarships funded by the program; revising
25 provisions for the calculation of an award amount for
26 certain students; prohibiting the transfer of funds to
27 an eligible student's account under certain
28 conditions; providing obligations of choice navigators
29 beginning on a specified date; conforming provisions

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 and cross-references to changes made by the act;
31 amending s. 1002.395, F.S.; defining the term "choice
32 navigator"; revising student eligibility and
33 ineligibility requirements for the Florida Tax Credit
34 Scholarship Program; revising obligations of eligible
35 nonprofit scholarship-funding organizations; revising
36 and establishing certain limitations on the number of
37 scholarships funded by the program; revising the
38 approved uses of scholarship funds; deleting obsolete
39 language; revising the amount of funds that must be
40 expended through scholarships; providing requirements
41 for parents of students participating in the program;
42 requiring scholarship funds to be deposited by funds
43 transfers, rather than through the endorsement of
44 warrants; requiring choice navigators to report
45 specified student scores to a certain state
46 university; revising the requirements of a specified
47 annual report; prohibiting the transfer of funds to an
48 eligible student's account under certain conditions;
49 providing that scholarships awarded through the
50 program remain in force until certain criteria are
51 met; authorizing reimbursements for certain
52 expenditures until certain criteria are met; requiring
53 the closing of a scholarship account and the reversion
54 of funds to the state under certain circumstances;
55 providing obligations of choice navigators beginning
56 on a specified date; conforming provisions and cross-
57 references to changes made by the act; amending s.
58 1002.40, F.S.; conforming cross-references; amending

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59 s. 1002.421, F.S.; revising the Commissioner of
 60 Education's authority and obligations relating to the
 61 state school choice scholarship program; creating s.
 62 1002.44, F.S.; authorizing public schools, including
 63 charter schools, to enroll certain students on a part-
 64 time basis; providing that such students generate
 65 full-time equivalent student membership; providing
 66 funding for such students; providing that such
 67 students are not considered to be in regular
 68 attendance at such schools; amending s. 1003.4282,
 69 F.S.; deleting the online course requirement for a
 70 standard high school diploma; requiring the State
 71 Board of Education to provide recommendations by a
 72 specified date to the Governor and the Legislature for
 73 repeals and revisions of the Florida Early Learning-20
 74 Education Code to be considered in the 2024
 75 legislative session; amending s. 1006.21, F.S.;
 76 deleting a requirement for the superintendent to share
 77 transportation recommendations with the State Board of
 78 Education; deleting a requirement for transportation
 79 provisions to comply with board rules; authorizing
 80 vehicles other than buses to transport students;
 81 deleting a requirement to transport students whose
 82 homes are more than a reasonable walking distance, as
 83 defined by board rules; amending s. 1006.22, F.S.;
 84 conforming a provision to changes made by the act;
 85 deleting a requirement for district school boards to
 86 use school buses for all regular transportation;
 87 deleting provisions relating to circumstances in which

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88 students may be transported in privately owned motor
 89 vehicles; amending s. 1006.25, F.S.; deleting
 90 requirements for school buses and certain leased
 91 vehicles to comply with board rules; amending s.
 92 1006.261, F.S.; deleting types of agreements a
 93 district school board may enter into with certain
 94 governing bodies relating to transportation; amending
 95 s. 1006.27, F.S.; conforming provisions to changes
 96 made by the act; amending s. 1011.62, F.S.; providing
 97 requirements for how additional funding appropriated
 98 for the Teacher Salary Increase Allocation may be
 99 used; amending s. 1012.22, F.S.; authorizing district
 100 school boards to use advanced degrees in setting
 101 salary schedules for instructional personnel or school
 102 administrators; deleting a requirement for the annual
 103 increase of personnel salaries; amending s. 1012.56,
 104 F.S.; revising the acceptable means of demonstrating
 105 mastery of general knowledge; revising the acceptable
 106 means of demonstrating mastery of subject area
 107 knowledge; revising acceptable means of demonstrating
 108 mastery of professional preparation and education
 109 competence; revising requirements for the department
 110 to issue temporary certificates; revising how long a
 111 temporary certificate is valid; amending s. 1013.64,
 112 F.S.; providing that certain construction projects are
 113 exempt from the total cost per student station
 114 requirements; amending ss. 1002.321, 1003.5716,
 115 1002.20, 1003.01, and 1003.499, F.S.; conforming
 116 cross-references and provisions to changes made by the

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117 act; providing an effective date.

118

119 Be It Enacted by the Legislature of the State of Florida:

120

121 Section 1. Paragraph (c) of subsection (1) of section
122 212.099, Florida Statutes, is amended to read:

123 212.099 Credit for contributions to eligible nonprofit
124 scholarship-funding organizations.—

125 (1) As used in this section, the term:

126 (c) "Eligible nonprofit scholarship-funding organization"
127 or "organization" has the same meaning as provided in s.
128 1002.395(2) ~~s. 1002.395(2)(f)~~.

129 Section 2. Present paragraphs (b), (c), (d) and (e) through
130 (m) of subsection (2) of section 1002.394, Florida Statutes, are
131 redesignated as paragraphs (c), (d), (e), and (g) through (o),
132 respectively, present subsection (17) is redesignated as
133 subsection (18), new paragraphs (b) and (f) are added to
134 subsection (2), paragraph (c) is added to subsection (8), and a
135 new subsection (17) is added to that section, and present
136 paragraphs (e) and (g) of subsection (2), paragraph (a) of
137 subsection (3), paragraph (a) of subsection (4), paragraph (a)
138 of subsection (5), paragraphs (d), (e), and (f) of subsection
139 (6), paragraphs (a) and (b) of subsection (10), subsection (11),
140 and paragraphs (a) and (b) of subsection (12) are amended, to
141 read:

142 1002.394 The Family Empowerment Scholarship Program.—

143 (2) DEFINITIONS.—As used in this section, the term:

144 (b) "Choice navigator" means an individual who assists
145 parents with the selection of, application for, and enrollment

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146 in educational options that address the academic needs of their
147 student.

148 (f) "Eligible contribution" means a monetary contribution
149 from a taxpayer, subject to the restrictions provided in s.
150 1002.395, to an eligible nonprofit scholarship-funding
151 organization pursuant to ss. 212.099, 212.1832, 1002.395, and
152 1002.40. The taxpayer making the contribution may not designate
153 a specific child as the beneficiary of the contribution.

154 (g) ~~(e)~~ "Eligible nonprofit scholarship-funding
155 organization" or "organization" has the same meaning as provided
156 in s. 1002.395(2) ~~s. 1002.395(2)(f)~~.

157 (i) ~~(g)~~ "Eligible private school" has the same meaning as
158 provided in s. 1002.395(2) ~~s. 1002.395(2)(g)~~.

159 (k) ~~(i)~~ "Inactive" means that no eligible expenditures have
160 been made from an account funded pursuant to paragraph (12)(b).

161 (3) SCHOLARSHIP ELIGIBILITY.—

162 (a) 1. A parent of a student may request and receive from
163 the state a scholarship for the purposes specified in
164 paragraph(4)(a) if the student is a resident of this state and
165 is eligible to enroll in kindergarten through grade 12 in a
166 public school in this state—

167 ~~1. The student is on the direct certification list pursuant~~
168 ~~to s. 1002.395(2)(e) or the student's household income level~~
169 ~~does not exceed 185 percent of the federal poverty level;~~

170 ~~2. The student is currently placed, or during the previous~~
171 ~~state fiscal year was placed, in foster care or in out-of-home~~
172 ~~care as defined in s. 39.01;~~

173 ~~3. The student's household income level does not exceed 375~~
174 ~~percent of the federal poverty level or an adjusted maximum~~

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175 ~~percent of the federal poverty level that is increased by 25~~
 176 ~~percentage points in the fiscal year following any fiscal year~~
 177 ~~in which more than 5 percent of the available scholarships~~
 178 ~~authorized under paragraph (12) (a) have not been funded.~~

179 ~~4. The student is a sibling of a student who is~~
 180 ~~participating in the scholarship program under this subsection~~
 181 ~~and such siblings reside in the same household.~~

182 ~~5. The student is a dependent child of a member of the~~
 183 ~~United States Armed Forces; or~~

184 ~~6. The student is a dependent child of a law enforcement~~
 185 ~~officer.~~

186 2. Priority must be given to a student whose household
 187 income level does not exceed 185 percent of the federal poverty
 188 level or who is in foster care or out-of-home care.

189 (4) AUTHORIZED USES OF PROGRAM FUNDS.—

190 (a) Program funds awarded to a student determined eligible
 191 pursuant to paragraph (3) (a) may be used for:

192 1. Tuition and fees at an eligible private school, ~~or~~

193 2. Transportation to a Florida public school in which a
 194 student is enrolled and that is different from the school to
 195 which the student was assigned or to a lab school as defined in
 196 s. 1002.32.

197 3. Instructional materials, including digital materials and
 198 Internet resources.

199 4. Curriculum as defined in subsection (2).

200 5. Tuition and fees associated with full-time or part-time
 201 enrollment in a home education program, an eligible private
 202 school, an eligible postsecondary educational institution or a
 203 program offered by the postsecondary educational institution, a

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204 private tutoring program authorized under s. 1002.43, a virtual
 205 program offered by a department-approved private online provider
 206 that meets the provider qualifications specified in s.
 207 1002.45(2) (a), the Florida Virtual School as a private paying
 208 student, or an approved online course offered pursuant to s.
 209 1003.499 or s. 1004.0961.

210 6. Fees for nationally standardized, norm-referenced
 211 achievement tests, Advanced Placement Examinations, industry
 212 certification examinations, assessments related to postsecondary
 213 education, or other assessments.

214 7. Contracted services provided by a public school or
 215 school district, including classes. A student who receives
 216 contracted services under this subparagraph is not considered
 217 enrolled in a public school for eligibility purposes as
 218 specified in subsection (6).

219 8. Tuition and fees for part-time tutoring services
 220 provided by a person who holds a valid Florida educator's
 221 certificate pursuant to s. 1012.56, a person who holds an
 222 adjunct teaching certificate pursuant to s. 1012.57, a person
 223 who has a bachelor's degree or a graduate degree in the subject
 224 area in which instruction is given, a person who has
 225 demonstrated a mastery of subject area knowledge pursuant to s.
 226 1012.56(5), or a person certified by a nationally or
 227 internationally recognized research-based training program as
 228 approved by the department. As used in this paragraph, the term
 229 "part-time tutoring services" does not qualify as regular school
 230 attendance as defined in s. 1003.01(13) (e) if the student is
 231 determined eligible pursuant to subparagraph (3) (a)1. or
 232 subparagraph (3) (a)2.

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233 (5) TERM OF SCHOLARSHIP.—For purposes of continuity of
 234 educational choice:

235 (a) 1. A scholarship awarded to an eligible student pursuant
 236 to paragraph (3) (a) shall remain in force until:

237 a. The organization determines that the student is not
 238 eligible for program renewal;

239 b. The Commissioner of Education suspends or revokes
 240 program participation or use of funds;

241 c. The student's parent has forfeited participation in the
 242 program for failure to comply with subsection (10);

243 d. The student enrolls in a public school. However, if a
 244 student enters a Department of Juvenile Justice detention center
 245 for a period of no more than 21 days, the student is not
 246 considered to have returned to a public school on a full-time
 247 basis for that purpose; or

248 e. The student graduates from high school or attains 21
 249 years of age, whichever occurs first.

250 2.a. The student's scholarship account must be closed and
 251 any remaining funds shall revert to the state after:

252 (I) Denial or revocation of program eligibility by the
 253 commissioner for fraud or abuse, including, but not limited to,
 254 the student or student's parent accepting any payment, refund,
 255 or rebate, in any manner, from a provider of any services
 256 received pursuant to paragraph (4) (a); or

257 (II) Two consecutive fiscal years in which an account has
 258 been inactive.

259 b. Reimbursements for program expenditures may continue
 260 until the account balance is expended or remaining funds have
 261 reverted to the state student returns to a public school,

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262 ~~graduates from high school, or reaches the age of 21, whichever~~
 263 ~~occurs first. A scholarship student who enrolls in a public~~
 264 ~~school or public school program is considered to have returned~~
 265 ~~to a public school for the purpose of determining the end of the~~
 266 ~~scholarship's term. However, if a student enters a Department of~~
 267 ~~Juvenile Justice detention center for a period of no more than~~
 268 ~~21 days, the student is not considered to have returned to a~~
 269 ~~public school for that purpose.~~

270 (6) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
 271 a Family Empowerment Scholarship while he or she is:

272 (d) Not having regular and direct contact with his or her
 273 private school teachers pursuant to s. 1002.421(1)(i), unless he
 274 or she is ~~eligible pursuant to paragraph (3)(b) and enrolled in~~
 275 ~~the private school's transition-to-work program pursuant to~~
 276 ~~subsection (16) or a home education program pursuant to s.~~
 277 ~~1002.41;~~

278 (e) Participating in a private tutoring program pursuant to
 279 s. 1002.43 unless he or she is enrolled in a home education
 280 program pursuant to s. 1002.41 or determined eligible pursuant
 281 to paragraph (3) (b); or

282 (f) Participating in virtual instruction pursuant to s.
 283 1002.455 that receives state funding pursuant to the student's
 284 participation.

285 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—

286 (c) The department shall notify each school district of the
 287 official information relating to the number of full-time
 288 equivalent students in the Family Empowerment Scholarship
 289 Program which is developed pursuant to s. 216.136(4) (a).

290 (10) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM

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291 PARTICIPATION.-

292 (a)~~1~~. A parent who applies for program participation under
 293 paragraph (3) (a) ~~whose student will be enrolled full time ~~is~~~~
 294 ~~exercising his or her parental option to place his or her child~~
 295 in a private school ~~and~~ must:

296 ~~a.1~~- Select the private school and apply for the admission
 297 of his or her student.

298 ~~b.2~~- Request the scholarship by a date established by the
 299 organization, in a manner that creates a written or electronic
 300 record of the request and the date of receipt of the request.

301 ~~c.3~~- Inform the applicable school district when the parent
 302 withdraws his or her student from a public school to attend an
 303 eligible private school.

304 ~~d.4~~- Require his or her student participating in the
 305 program to remain in attendance throughout the school year
 306 unless excused by the school for illness or other good cause.

307 ~~e.5~~- Meet with the private school's principal or the
 308 principal's designee to review the school's academic programs
 309 and policies, customized educational programs, code of student
 310 conduct, and attendance policies before ~~prior~~ to enrollment.

311 ~~f.6~~- Require that the student participating in the
 312 scholarship program takes the norm-referenced assessment offered
 313 by the private school. The parent may also choose to have the
 314 student participate in the statewide assessments pursuant to
 315 paragraph (7) (d). If the parent requests that the student
 316 participating in the program take all statewide assessments
 317 required pursuant to s. 1008.22, the parent is responsible for
 318 transporting the student to the assessment site designated by
 319 the school district.

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320 ~~g.7~~- Approve each payment before the scholarship funds may
 321 be deposited by funds transfer ~~Restrictively endorse the~~
 322 ~~warrant, issued in the name of the parent pursuant to~~
 323 ~~subparagraph (12) (a)5. (12) (a)6., to the private school for~~
 324 ~~deposit into the private school's account.~~ The parent may not
 325 designate any entity or individual associated with the
 326 participating private school as the parent's attorney in fact to
 327 approve a funds transfer. A participant who fails to comply with
 328 this paragraph forfeits ~~endorse~~ a scholarship warrant.

329 2. A parent who applies for program participation under
 330 paragraph (3) (a) whose student will be enrolled in a home
 331 education program with the school district in which the student
 332 resides must:

333 a. Apply to an eligible nonprofit scholarship-funding
 334 organization to participate in the program by a date set by the
 335 organization. The request must be communicated directly to the
 336 organization in a manner that creates a written or electronic
 337 record of the request and the date of receipt of the request.

338 b. Sign an agreement with the organization and annually
 339 submit a sworn compliance statement to the organization to
 340 satisfy or maintain program eligibility, including eligibility
 341 to receive and spend program payments, by:

342 (I) Affirming that the parent has established and maintains
 343 a home education program in accordance with s. 1002.41.

344 (II) Affirming that the program funds are used only for
 345 authorized purposes serving the student's educational needs, as
 346 described in paragraph (4) (a), and that the parent will not
 347 receive a payment, refund, or rebate of any funds provided under
 348 this section.

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349 (III) Affirming that the parent is responsible for all
 350 eligible expenses in excess of the amount of the scholarship and
 351 for the education of his or her student.

352 c. Require the student to take a nationally norm-referenced
 353 test identified by the department, or a statewide assessment
 354 under s. 1008.22, and provide educational records and assessment
 355 results to a choice navigator before the student's program
 356 renewal.

357 d. Meet with a choice navigator at least annually before
 358 the student's program renewal to:

359 (I) Discuss the academic needs and progress of the student
 360 based on educational records submitted by the parent and annual
 361 assessment results.

362 (II) Select educational options based on the academic needs
 363 of the student.

364 e. Affirm that the student remains in good standing with
 365 the provider or school if those options are selected by the
 366 parent.

367 f. Renew participation in the program each year. A student
 368 whose participation in the program is not renewed may continue
 369 to spend scholarship funds that are in his or her account from
 370 prior years unless the account must be closed pursuant to
 371 subparagraph (5)(a)2.

372 g. Procure the services necessary to educate the student.
 373 When the student receives a scholarship, the district school
 374 board is not obligated to provide the student with a free
 375 appropriate public education.

376 (b) A parent who applies for program participation under
 377 paragraph (3)(b) is exercising his or her parental option to

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378 determine the appropriate placement or the services that best
 379 meet the needs of his or her child and must:

380 1. Apply to an eligible nonprofit scholarship-funding
 381 organization to participate in the program by a date set by the
 382 organization. The request must be communicated directly to the
 383 organization in a manner that creates a written or electronic
 384 record of the request and the date of receipt of the request.

385 2. Sign an agreement with the organization and annually
 386 submit a sworn compliance statement to the organization to
 387 satisfy or maintain program eligibility, including eligibility
 388 to receive and spend program payments by:

389 a. Affirming that the student is enrolled in a program that
 390 meets regular school attendance requirements as provided in s.
 391 1003.01(13)(b), (c), or (d).

392 b. Affirming that the program funds are used only for
 393 authorized purposes serving the student's educational needs, as
 394 described in paragraph (4)(b); that any prepaid college plan or
 395 college savings plan funds contributed pursuant to subparagraph
 396 (4)(b)6. will not be transferred to another beneficiary while
 397 the plan contains funds contributed pursuant to this section;
 398 and that they will not receive a payment, refund, or rebate of
 399 any funds provided under this section.

400 c. Affirming that the parent is responsible for all
 401 eligible expenses in excess of the amount of the scholarship and
 402 for the education of his or her student by, as applicable:

403 (I) Requiring the student to take an assessment in
 404 accordance with paragraph (9)(c);

405 (II) Providing an annual evaluation in accordance with s.
 406 1002.41(1)(f); or

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407 (III) Requiring the child to take any preassessments and
 408 postassessments selected by the provider if the child is 4 years
 409 of age and is enrolled in a program provided by an eligible
 410 Voluntary Prekindergarten Education Program provider. A student
 411 with disabilities for whom the physician or psychologist who
 412 issued the diagnosis or the IEP team determines that a
 413 preassessment and postassessment is not appropriate is exempt
 414 from this requirement. A participating provider shall report a
 415 student's scores to the parent.

416 d. Affirming that the student remains in good standing with
 417 the provider or school if those options are selected by the
 418 parent.

419 e. Enrolling his or her child in a program from a Voluntary
 420 Prekindergarten Education Program provider authorized under s.
 421 1002.55, a school readiness provider authorized under s.
 422 1002.88, or an eligible private school if either option is
 423 selected by the parent.

424 f. Renewing participation in the program each year. A
 425 student whose participation in the program is not renewed may
 426 continue to spend scholarship funds that are in his or her
 427 account from prior years unless the account must be closed
 428 pursuant to subparagraph (5)(b)3. Notwithstanding any changes to
 429 the student's IEP, a student who was previously eligible for
 430 participation in the program shall remain eligible to apply for
 431 renewal. However, for a high-risk child to continue to
 432 participate in the program in the school year after he or she
 433 reaches 6 years of age, the child's application for renewal of
 434 program participation must contain documentation that the child
 435 has a disability defined in paragraph (2)(e) ~~(2)(d)~~ other than

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436 high-risk status.

437 g. Procuring the services necessary to educate the student.
 438 ~~If a parent does not procure the necessary educational services~~
 439 ~~for the student and the student's account has been inactive for~~
 440 ~~2 consecutive fiscal years, the student is ineligible for~~
 441 ~~additional scholarship payments until the scholarship-funding~~
 442 ~~organization verifies that expenditures from the account have~~
 443 ~~occurred.~~ When the student receives a scholarship, the district
 444 school board is not obligated to provide the student with a free
 445 appropriate public education. For purposes of s. 1003.57 and the
 446 Individuals with Disabilities in Education Act, a participating
 447 student has only those rights that apply to all other
 448 unilaterally parentally placed students, except that, when
 449 requested by the parent, school district personnel must develop
 450 an IEP or matrix level of services.

451 (11) OBLIGATIONS OF ELIGIBLE SCHOLARSHIP-FUNDING
 452 ORGANIZATIONS.—

453 (a) An eligible nonprofit scholarship-funding organization
 454 awarding scholarships to eligible students pursuant to paragraph
 455 (3)(a):

456 1. Must receive applications, determine student
 457 eligibility, notify parents in accordance with the requirements
 458 of this section, and provide the department with information on
 459 the student to enable the department to determine student
 460 funding in accordance with paragraph (12)(a).

461 2. Shall verify the household income level of students
 462 ~~pursuant to subparagraph (3)(a)1.~~ and submit the verified list
 463 of students and related documentation to the department when
 464 necessary.

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465 3. Shall award scholarships in priority order pursuant to
466 paragraph (3) (a).

467 4. Shall establish and maintain separate empowerment
468 accounts for each eligible student. For each account, the
469 organization must maintain a record of accrued interest that is
470 retained in the student's account and available only for
471 authorized program expenditures.

472 5. May permit eligible students to use program funds for
473 the purposes listed in paragraph (4) (a) by paying for the
474 authorized use directly, then submitting a reimbursement request
475 to the eligible nonprofit scholarship-funding organization.
476 However, an eligible nonprofit scholarship-funding organization
477 may elect not to provide reimbursements and only allow direct
478 purchases using program funds.

479 6. May, from eligible contributions received pursuant to s.
480 1002.395(6)(j)1., use an amount not to exceed 2.5 percent of the
481 total amount of all scholarships funded under this section for
482 administrative expenses associated with performing functions
483 under this section. Such administrative expense amount is
484 considered within the 3 percent limit on the total amount an
485 organization may use to administer scholarships under this
486 chapter.

487 ~~7.5-~~ Must, in a timely manner, submit any information
488 requested by the department relating to the scholarship under
489 this section.

490 ~~8.6-~~ Must notify the department about any violation of this
491 section ~~by a parent or a private school.~~

492 9. Must document each student's eligibility for a fiscal
493 year before granting a scholarship for that fiscal year. A

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494 student is ineligible for a scholarship if the student's account
495 has been inactive for 2 consecutive fiscal years.

496 10. Must notify each parent that participation in the
497 scholarship program does not guarantee enrollment.

498 (b) An eligible nonprofit scholarship-funding organization
499 awarding scholarships to eligible students pursuant to paragraph
500 (3) (b) shall:

501 1. Receive applications, determine student eligibility, and
502 notify parents in accordance with the requirements of this
503 section. When an application is approved, the organization must
504 provide the department with information on the student to enable
505 the department to determine student funding in accordance with
506 paragraph (12) (b).

507 2. Establish a date by which a parent must confirm initial
508 or continuing participation in the program.

509 3. Review applications and award scholarships using the
510 following priorities:

511 a. For the 2021-2022 school year, a student who received a
512 Gardiner Scholarship in the 2020-2021 school year and meets the
513 eligibility requirements in paragraph (3) (b).

514 b. Renewing students from the previous school year.

515 c. Students retained on the previous school year's wait
516 list.

517 d. An eligible student who meets the criteria for an
518 initial award pursuant to paragraph (3) (b).

519
520 An approved student who does not receive a scholarship must be
521 placed on the wait list in the order in which his or her
522 application is approved. A student who does not receive a

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523 scholarship within the fiscal year shall be retained on the wait
524 list for the subsequent fiscal year.

525 4. Establish and maintain separate accounts for each
526 eligible student. For each account, the organization must
527 maintain a record of accrued interest that is retained in the
528 student's account and available only for authorized program
529 expenditures.

530 5. Verify qualifying educational expenditures pursuant to
531 the requirements of paragraph (4) (b).

532 6. Return any remaining program funds to the department
533 pursuant to paragraph (6) (b).

534 7. Notify the parent about the availability of, and the
535 requirements associated with requesting, an initial IEP or IEP
536 reevaluation every 3 years for each student participating in the
537 program.

538 8. Notify the department of any violation of this section.

539 9. Document each scholarship student's eligibility for a
540 fiscal year before granting a scholarship for that fiscal year
541 pursuant to paragraph (3) (b). A student is ineligible for a
542 scholarship if the student's account has been inactive for 2
543 consecutive fiscal years.

544 10. Use funds available from remaining tax credit revenue
545 under ss. 1002.395 and 1002.40 to fund eligible students who
546 meet the condition under sub-subparagraph (12) (b) 1.d.

547 (12) SCHOLARSHIP FUNDING AND PAYMENT.—

548 (a)1. Once all scholarships have been funded pursuant to s.
549 1002.395(6) (d)1., up to 10,000 scholarships for students who are
550 enrolled in a home education program may be funded for the 2023-
551 2024 school year. The number of scholarships funded for such

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552 students may increase by 20,000 in each subsequent school year.

553 ~~This subparagraph is repealed July 1, 2027 determined eligible~~
554 ~~pursuant to paragraph (3) (a) are established for up to 18,000~~
555 ~~students annually beginning in the 2019-2020 school year.~~

556 ~~Beginning in the 2020-2021 school year, the maximum number of~~
557 ~~students participating in the scholarship program under this~~
558 ~~section shall annually increase by 1.0 percent of the state's~~
559 ~~total full-time equivalent student membership. An eligible~~
560 ~~student who meets any of the following requirements shall be~~
561 ~~excluded from the maximum number of students if the student:~~

562 a. ~~Is a dependent child of a law enforcement officer or a~~
563 ~~member of the United States Armed Forces, a foster child, or an~~
564 ~~adopted child; or~~

565 b. ~~Is determined eligible pursuant to subparagraph (3) (a) 1.~~
566 ~~or subparagraph (3) (a) 2. and either spent the prior school year~~
567 ~~in attendance at a Florida public school or, beginning in the~~
568 ~~2022-2023 school year, is eligible to enroll in kindergarten.~~
569 ~~For purposes of this subparagraph, the term "prior school year~~
570 ~~in attendance" means that the student was enrolled and reported~~
571 ~~by a school district for funding during either the preceding~~
572 ~~October or February full-time equivalent student membership~~
573 ~~surveys in kindergarten through grade 12, which includes time~~
574 ~~spent in a Department of Juvenile Justice commitment program if~~
575 ~~funded under the Florida Education Finance Program.~~

576 2. ~~The scholarship amount provided to a student for any~~
577 ~~single school year shall be for tuition and fees for an eligible~~
578 ~~private school, not to exceed annual limits, which shall be~~
579 ~~determined in accordance with this subparagraph. The calculated~~
580 ~~scholarship amount for a participating student determined~~

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581 eligible pursuant to paragraph (3) (a) shall be based upon the
 582 grade level and school district in which the student was
 583 assigned as 100 percent of the funds per unweighted full-time
 584 equivalent in the Florida Education Finance Program for a
 585 student in the basic program established pursuant to s.
 586 1011.62(1)(c)1., plus a per-full-time equivalent share of funds
 587 for all categorical programs, except for the exceptional student
 588 education guaranteed allocation established pursuant to s.
 589 1011.62(1)(e).

590 3. ~~The amount of the scholarship shall be the calculated~~
 591 ~~amount or the amount of the private school's tuition and fees,~~
 592 ~~whichever is less. The amount of any assessment fee required by~~
 593 ~~the participating private school and any costs to provide a~~
 594 ~~digital device, including Internet access, if necessary, to the~~
 595 ~~student may be paid from the total amount of the scholarship.~~

596 4. A scholarship of \$750 or an amount equal to the school
 597 district expenditure per student riding a school bus, as
 598 determined by the department, whichever is greater, may be
 599 awarded to an eligible a student who is ~~determined eligible~~
 600 ~~pursuant to subparagraph (3) (a)1. or subparagraph (3) (a)2. and~~
 601 enrolled in a Florida public school that is different from the
 602 school to which the student was assigned or in a lab school as
 603 defined in s. 1002.32 if the school district does not provide
 604 the student with transportation to the school.

605 ~~4.5-~~ The organization must provide the department with the
 606 documentation necessary to verify the student's participation.
 607 Upon receiving the documentation, the department shall transfer,
 608 from state funds only, the amount calculated pursuant to
 609 subparagraph 2. to the organization for quarterly disbursement

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610 to parents of participating students each school year in which
 611 the scholarship is in force. For a student exiting a Department
 612 of Juvenile Justice commitment program who chooses to
 613 participate in the scholarship program, the amount of the Family
 614 Empowerment Scholarship calculated pursuant to subparagraph 2.
 615 must be transferred from the school district in which the
 616 student last attended a public school before commitment to the
 617 Department of Juvenile Justice. When a student enters the
 618 scholarship program, the organization must receive all
 619 documentation required for the student's participation,
 620 including the private school's and the student's fee schedules,
 621 at least 30 days before the first quarterly scholarship payment
 622 is made for the student.

623 ~~5.6-~~ The initial payment shall be made after the
 624 organization's verification of admission acceptance, and
 625 subsequent payments shall be made upon verification of continued
 626 enrollment and attendance at the private school. Payment must be
 627 ~~by individual warrant made payable to the student's parent or by~~
 628 ~~funds transfer or any other means of payment that the department~~
 629 ~~deems to be commercially viable or cost-effective. If the~~
 630 ~~payment is made by warrant, the warrant must be delivered by the~~
 631 ~~organization to the private school of the parent's choice, and~~
 632 ~~the parent shall restrictively endorse the warrant to the~~
 633 ~~private school.~~ An organization shall ensure that the parent ~~to~~
 634 ~~whom the warrant is made has restrictively endorsed the warrant~~
 635 ~~to the private school for deposit into the account of the~~
 636 ~~private school or that the parent has approved a funds transfer~~
 637 before any scholarship funds are deposited.

638 6. An organization may not transfer any funds to an account

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639 of a student determined eligible pursuant to paragraph (3) (a)
 640 which has a balance in excess of \$24,000.

641 (b)1. Scholarships for students determined eligible
 642 pursuant to paragraph (3) (b) are established for up to 26,500
 643 students annually beginning in the 2022-2023 school year.
 644 Beginning in the 2023-2024 school year, the maximum number of
 645 students participating in the scholarship program under this
 646 section shall annually increase by 3.0 ~~1.0~~ percent of the
 647 state's total exceptional student education full-time equivalent
 648 student membership, not including gifted students. An eligible
 649 student who meets any of the following requirements shall be
 650 excluded from the maximum number of students if the student:

651 a. Received specialized instructional services under the
 652 Voluntary Prekindergarten Education Program pursuant to s.
 653 1002.66 during the previous school year and the student has a
 654 current IEP developed by the district school board in accordance
 655 with rules of the State Board of Education;

656 b. Is a dependent child of a law enforcement officer or a
 657 member of the United States Armed Forces, a foster child, or an
 658 adopted child;

659 c. Spent the prior school year in attendance at a Florida
 660 public school or the Florida School for the Deaf and the Blind.
 661 For purposes of this subparagraph, the term "prior school year
 662 in attendance" means that the student was enrolled and reported
 663 by:

664 (I) A school district for funding during either the
 665 preceding October or February full-time equivalent student
 666 membership surveys in kindergarten through grade 12, which
 667 includes time spent in a Department of Juvenile Justice

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668 commitment program if funded under the Florida Education Finance
 669 Program;

670 (II) The Florida School for the Deaf and the Blind during
 671 the preceding October or February full-time equivalent student
 672 membership surveys in kindergarten through grade 12;

673 (III) A school district for funding during the preceding
 674 October or February full-time equivalent student membership
 675 surveys, was at least 4 years of age when enrolled and reported,
 676 and was eligible for services under s. 1003.21(1) (e); or

677 (IV) Received a John M. McKay Scholarship for Students with
 678 Disabilities in the 2021-2022 school year.

679 d. Is funded from remaining tax credit revenue pursuant to
 680 ss. 1002.395 and 1002.40 and would exceed the maximum number of
 681 students established under this subsection.

682 2. For a student who has a Level I to Level III matrix of
 683 services or a diagnosis by a physician or psychologist, the
 684 calculated scholarship amount for a student participating in the
 685 program must be based upon the grade level and school district
 686 in which the student would have been enrolled as the total funds
 687 per unweighted full-time equivalent in the Florida Education
 688 Finance Program for a student in the basic exceptional student
 689 education program pursuant to s. 1011.62(1) (c)1. and (e)1.c.,
 690 plus a per full-time equivalent share of funds for all
 691 categorical programs, as funded in the General Appropriations
 692 Act, except that for the exceptional student education
 693 guaranteed allocation, as provided in s. 1011.62(1) (e)1.c. and
 694 2., the funds must be allocated based on the school district's
 695 average exceptional student education guaranteed allocation
 696 funds per exceptional student education full-time equivalent

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697 student.

698 3. For a student with a Level IV or Level V matrix of
699 services, the calculated scholarship amount must be based upon
700 the school district to which the student would have been
701 assigned as the total funds per full-time equivalent for the
702 Level IV or Level V exceptional student education program
703 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time
704 equivalent share of funds for all categorical programs, as
705 funded in the General Appropriations Act.

706 4. For a student who received a Gardiner Scholarship
707 pursuant to s. 1002.385 in the 2020-2021 school year, the amount
708 shall be the greater of the amount calculated pursuant to
709 subparagraph 2. or the amount the student received for the 2020-
710 2021 school year.

711 5. For a student who received a John M. McKay Scholarship
712 pursuant to s. 1002.39 in the 2020-2021 school year, the amount
713 shall be the greater of the amount calculated pursuant to
714 subparagraph 2. or the amount the student received for the 2020-
715 2021 school year.

716 6. The organization must provide the department with the
717 documentation necessary to verify the student's participation.

718 7. Upon receiving the documentation, the department shall
719 release, from state funds only, the student's scholarship funds
720 to the organization, to be deposited into the student's account
721 in four equal amounts no later than September 1, November 1,
722 February 1, and April 1 of each school year in which the
723 scholarship is in force.

724 8. Accrued interest in the student's account is in addition
725 to, and not part of, the awarded funds. Program funds include

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726 both the awarded funds and accrued interest.

727 9. The organization may develop a system for payment of
728 benefits by funds transfer, including, but not limited to, debit
729 cards, electronic payment cards, or any other means of payment
730 which the department deems to be commercially viable or cost-
731 effective. A student's scholarship award may not be reduced for
732 debit card or electronic payment fees. Commodities or services
733 related to the development of such a system must be procured by
734 competitive solicitation unless they are purchased from a state
735 term contract pursuant to s. 287.056.

736 10. An organization may not transfer any funds to an
737 account of a student determined to be eligible pursuant to
738 paragraph (3)(b) which has a balance in excess of \$50,000.

739 11. Moneys received pursuant to this section do not
740 constitute taxable income to the qualified student or the parent
741 of the qualified student.

742 (17) OBLIGATIONS OF CHOICE NAVIGATOR.—Beginning January 1,
743 2024, a choice navigator must:

744 (a) Review educational records and assessment results to
745 determine the academic needs of a student.

746 (b) Identify educational options authorized under paragraph
747 (4)(a) to address the academic needs of a student.

748 (c) Provide guidance to enable parents to choose the best
749 educational options for their student.

750 (d) Report the scores of all participating students to a
751 state university as described in s. 1002.395(9)(f).

752 Section 3. Present paragraphs (b) through (k) of subsection
753 (2) of section 1002.395, Florida Statutes, are redesignated as
754 paragraphs (c) through (l), respectively, a new paragraph (b) is

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755 added to that subsection, paragraphs (r), (s), and (t) are added
 756 to subsection (6), paragraphs (e) through (h) are added to
 757 subsection (11), subsection (16) is added to that section, and
 758 paragraph (b) of subsection (3), subsection (4), paragraphs (b),
 759 (d), (j), and (o) of subsection (6), subsection (7), paragraphs
 760 (a), (b), and (f) of subsection (9), and paragraph (b) of
 761 subsection (11) are amended, to read:

762 1002.395 Florida Tax Credit Scholarship Program.—

763 (2) DEFINITIONS.—As used in this section, the term:

764 (b) "Choice navigator" means an individual who assists
 765 parents with the selection of, application for, and enrollment
 766 in educational options that address the academic needs of their
 767 student.

768 (c) "Department" means the Department of Revenue.

769 (3) PROGRAM; INITIAL SCHOLARSHIP ELIGIBILITY.—

770 (b)1. A student is eligible for a Florida tax credit
 771 scholarship under this section if the student is a resident of
 772 this state and is eligible to enroll in kindergarten through
 773 grade 12 in a public school in this state ~~meets one or more of~~
 774 ~~the following criteria:~~

775 1. ~~The student is on the direct certification list or the~~
 776 ~~student's household income level does not exceed 375 percent of~~
 777 ~~the federal poverty level or an adjusted maximum percent of the~~
 778 ~~federal poverty level authorized under s. 1002.394(3)(a)3.; or~~

779 2. ~~The student is currently placed, or during the previous~~
 780 ~~state fiscal year was placed, in foster care or in out-of-home~~
 781 ~~care as defined in s. 39.01.~~

782 2. Priority must be given to a student whose household
 783 income level does not exceed 185 percent of the federal poverty

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784 level or who is in foster care or out-of-home care. ~~A student~~
 785 ~~who initially receives a scholarship based on eligibility under~~
 786 ~~this paragraph remains eligible to participate until he or she~~
 787 ~~graduates from high school or attains the age of 21 years,~~
 788 ~~whichever occurs first, regardless of the student's household~~
 789 ~~income level. A sibling of a student who is participating in the~~
 790 ~~scholarship program under this subsection is eligible for a~~
 791 ~~scholarship if the student resides in the same household as the~~
 792 ~~sibling.~~

793 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
 794 a scholarship while he or she is:

795 (a) Enrolled in a public school, including, but not limited
 796 to, the College-Preparatory Boarding Academy, a developmental
 797 research school authorized under s. 1002.32, or a charter school
 798 authorized under this chapter. For purposes of this paragraph, a
 799 3- or 4-year-old child who receives services funded through the
 800 Florida Education Finance Program is considered a student
 801 enrolled in a public school;

802 (b)(a) Enrolled in a school operating for the purpose of
 803 providing educational services to youth in a Department of
 804 Juvenile Justice commitment program programs;

805 (b) ~~Receiving a scholarship from another eligible nonprofit~~
 806 ~~scholarship funding organization under this section;~~

807 (c) Receiving any other an educational scholarship pursuant
 808 to this chapter;

809 (d) Not having regular and direct contact with his or her
 810 private school teachers pursuant to s. 1002.421(1)(i) unless he
 811 or she is enrolled in a home education program pursuant to s.
 812 1002.41 Participating in a home education program as defined in

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813 ~~s. 1002.01(1);~~

814 (e) Participating in a private tutoring program pursuant to
815 s. 1002.43 unless he or she is enrolled in a home education
816 program pursuant to s. 1002.41;

817 (f) Participating in ~~a~~ virtual instruction pursuant to s.
818 1002.455 school, correspondence school, or distance learning
819 ~~program~~ that receives state funding pursuant to the student's
820 participation ~~unless the participation is limited to no more~~
821 ~~than two courses per school year;~~ or

822 (g) Enrolled in the Florida School for the Deaf and the
823 Blind.

824 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
825 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
826 organization:

827 (b) Must comply with the following background check
828 requirements:

829 1. All owners and operators as defined in subparagraph
830 (2)(j)1. ~~(2)(i)1-~~ are, before employment or engagement to
831 provide services, subject to level 2 background screening as
832 provided under chapter 435. The fingerprints for the background
833 screening must be electronically submitted to the Department of
834 Law Enforcement and can be taken by an authorized law
835 enforcement agency or by an employee of the eligible nonprofit
836 scholarship-funding organization or a private company who is
837 trained to take fingerprints. However, the complete set of
838 fingerprints of an owner or operator may not be taken by the
839 owner or operator. The results of the state and national
840 criminal history check shall be provided to the Department of
841 Education for screening under chapter 435. The cost of the

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842 background screening may be borne by the eligible nonprofit
843 scholarship-funding organization or the owner or operator.

844 2. Every 5 years following employment or engagement to
845 provide services or association with an eligible nonprofit
846 scholarship-funding organization, each owner or operator must
847 meet level 2 screening standards as described in s. 435.04, at
848 which time the nonprofit scholarship-funding organization shall
849 request the Department of Law Enforcement to forward the
850 fingerprints to the Federal Bureau of Investigation for level 2
851 screening. If the fingerprints of an owner or operator are not
852 retained by the Department of Law Enforcement under subparagraph
853 3., the owner or operator must electronically file a complete
854 set of fingerprints with the Department of Law Enforcement. Upon
855 submission of fingerprints for this purpose, the eligible
856 nonprofit scholarship-funding organization shall request that
857 the Department of Law Enforcement forward the fingerprints to
858 the Federal Bureau of Investigation for level 2 screening, and
859 the fingerprints shall be retained by the Department of Law
860 Enforcement under subparagraph 3.

861 3. Fingerprints submitted to the Department of Law
862 Enforcement as required by this paragraph must be retained by
863 the Department of Law Enforcement in a manner approved by rule
864 and entered in the statewide automated biometric identification
865 system authorized by s. 943.05(2)(b). The fingerprints must
866 thereafter be available for all purposes and uses authorized for
867 arrest fingerprints entered in the statewide automated biometric
868 identification system pursuant to s. 943.051.

869 4. The Department of Law Enforcement shall search all
870 arrest fingerprints received under s. 943.051 against the

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871 fingerprints retained in the statewide automated biometric
 872 identification system under subparagraph 3. Any arrest record
 873 that is identified with an owner's or operator's fingerprints
 874 must be reported to the Department of Education. The Department
 875 of Education shall participate in this search process by paying
 876 an annual fee to the Department of Law Enforcement and by
 877 informing the Department of Law Enforcement of any change in the
 878 employment, engagement, or association status of the owners or
 879 operators whose fingerprints are retained under subparagraph 3.
 880 The Department of Law Enforcement shall adopt a rule setting the
 881 amount of the annual fee to be imposed upon the Department of
 882 Education for performing these services and establishing the
 883 procedures for the retention of owner and operator fingerprints
 884 and the dissemination of search results. The fee may be borne by
 885 the owner or operator of the nonprofit scholarship-funding
 886 organization.

887 5. A nonprofit scholarship-funding organization whose owner
 888 or operator fails the level 2 background screening is not
 889 eligible to provide scholarships under this section.

890 6. A nonprofit scholarship-funding organization whose owner
 891 or operator in the last 7 years has filed for personal
 892 bankruptcy or corporate bankruptcy in a corporation of which he
 893 or she owned more than 20 percent ~~is shall~~ not be eligible to
 894 provide scholarships under this section.

895 7. In addition to the offenses listed in s. 435.04, a
 896 person required to undergo background screening pursuant to this
 897 part or authorizing statutes must not have an arrest awaiting
 898 final disposition for, must not have been found guilty of, or
 899 entered a plea of nolo contendere to, regardless of

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900 adjudication, and must not have been adjudicated delinquent, and
 901 the record must not have been sealed or expunged for, any of the
 902 following offenses or any similar offense of another
 903 jurisdiction:

- 904 a. Any authorizing statutes, if the offense was a felony.
- 905 b. This chapter, if the offense was a felony.
- 906 c. Section 409.920, relating to Medicaid provider fraud.
- 907 d. Section 409.9201, relating to Medicaid fraud.
- 908 e. Section 741.28, relating to domestic violence.
- 909 f. Section 817.034, relating to fraudulent acts through
 910 mail, wire, radio, electromagnetic, photoelectronic, or
 911 photooptical systems.
- 912 g. Section 817.234, relating to false and fraudulent
 913 insurance claims.
- 914 h. Section 817.505, relating to patient brokering.
- 915 i. Section 817.568, relating to criminal use of personal
 916 identification information.
- 917 j. Section 817.60, relating to obtaining a credit card
 918 through fraudulent means.
- 919 k. Section 817.61, relating to fraudulent use of credit
 920 cards, if the offense was a felony.
- 921 l. Section 831.01, relating to forgery.
- 922 m. Section 831.02, relating to uttering forged instruments.
- 923 n. Section 831.07, relating to forging bank bills, checks,
 924 drafts, or promissory notes.
- 925 o. Section 831.09, relating to uttering forged bank bills,
 926 checks, drafts, or promissory notes.
- 927 p. Section 831.30, relating to fraud in obtaining medicinal
 928 drugs.

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929 q. Section 831.31, relating to the sale, manufacture,
930 delivery, or possession with the intent to sell, manufacture, or
931 deliver any counterfeit controlled substance, if the offense was
932 a felony.

933 (d)1. For the 2023-2024 school year, may fund no more than
934 10,000 scholarships for students who are enrolled in a home
935 education program. The number of scholarships funded for such
936 students may increase by 20,000 in each subsequent school year.
937 This subparagraph is repealed July 1, 2027.

938 2. Must establish and maintain separate empowerment
939 accounts from eligible contributions for each eligible student.
940 For each account, the organization must maintain a record of
941 accrued interest that is retained in the student's account. The
942 organization must verify that scholarship funds are used for
943 provide scholarships, from eligible contributions, to eligible
944 students for the cost of:

945 a.1. Tuition and fees for an eligible private school.~~7. or~~

946 b.2. Transportation to a Florida public school in which a
947 student is enrolled and that is different from the school to
948 which the student was assigned or to a lab school as defined in
949 s. 1002.32.

950 c. Instructional materials, including digital materials and
951 Internet resources.

952 d. Curriculum as defined in s. 1002.394(2).

953 e. Tuition and fees associated with full-time or part-time
954 enrollment in a home education program, an eligible private
955 school, an eligible postsecondary educational institution or a
956 program offered by the postsecondary educational institution, a
957 private tutoring program authorized under s. 1002.43, a virtual

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958 program offered by a Department of Education-approved private
959 online provider that meets the provider qualifications specified
960 in s. 1002.45(2)(a), the Florida Virtual School as a private
961 paying student, or an approved online course offered pursuant to
962 s. 1003.499 or s. 1004.0961.

963 f. Fees for nationally standardized, norm-referenced
964 achievement tests, Advanced Placement Examinations, industry
965 certification examinations, assessments related to postsecondary
966 education, or other assessments.

967 g. Contracted services provided by a public school or
968 school district, including classes. A student who receives
969 contracted services under this sub-subparagraph is not
970 considered enrolled in a public school for eligibility purposes
971 as specified in subsection (11).

972 h. Tuition and fees for part-time tutoring services
973 provided by a person who holds a valid Florida educator's
974 certificate pursuant to s. 1012.56, a person who holds an
975 adjunct teaching certificate pursuant to s. 1012.57, a person
976 who has a bachelor's degree or a graduate degree in the subject
977 area in which instruction is given, a person who has
978 demonstrated a mastery of subject area knowledge pursuant to s.
979 1012.56(5), or a person certified by a nationally or
980 internationally recognized research-based training program as
981 approved by the Department of Education. As used in this
982 paragraph, the term "part-time tutoring services" does not
983 qualify as regular school attendance as defined in s.
984 1003.01(13)(e).

985 (j)1. May use eligible contributions received pursuant to
986 this section and ss. 212.099, 212.1832, and 1002.40 during the

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987 state fiscal year in which such contributions are collected for
 988 administrative expenses if the organization has operated as an
 989 eligible nonprofit scholarship-funding organization for at least
 990 the preceding 3 fiscal years and did not have any findings of
 991 material weakness or material noncompliance in its most recent
 992 audit under paragraph (m). Administrative expenses from eligible
 993 contributions may not exceed 3 percent of the total amount of
 994 all scholarships funded by an eligible scholarship-funding
 995 organization under this chapter. Such administrative expenses
 996 must be reasonable and necessary for the organization's
 997 management and distribution of scholarships funded under this
 998 chapter. Administrative expenses may include developing or
 999 contracting with rideshare programs or facilitating carpool
 1000 strategies for recipients of a transportation scholarship. No
 1001 funds authorized under this subparagraph may ~~shall~~ be used for
 1002 lobbying or political activity or expenses related to lobbying
 1003 or political activity. Up to one-third of the funds authorized
 1004 for administrative expenses under this subparagraph may be used
 1005 for expenses related to the recruitment of contributions from
 1006 taxpayers. An eligible nonprofit scholarship-funding
 1007 organization may not charge an application fee.

1008 2. Must expend for annual or partial-year scholarships an
 1009 amount equal to or greater than 75 percent of all ~~the~~ net
 1010 eligible contributions remaining after administrative expenses
 1011 during the state fiscal year in which such contributions are
 1012 collected. No more than 25 percent of such net eligible
 1013 contributions may be carried forward to the following state
 1014 fiscal year. All amounts carried forward, for audit purposes,
 1015 must be specifically identified for particular students, by

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1016 student name and the name of the school to which the student is
 1017 admitted, subject to the requirements of ss. 1002.22 and
 1018 1002.221 and 20 U.S.C. s. 1232g, and the applicable rules and
 1019 regulations issued pursuant thereto. Any amounts carried forward
 1020 must ~~shall~~ be expended for annual or partial-year scholarships
 1021 in the following state fiscal year. No later than September 30
 1022 of each year, net eligible contributions remaining on June 30 of
 1023 each year that are in excess of the 25 percent that may be
 1024 carried forward must ~~shall~~ be used to provide scholarships to
 1025 eligible students or transferred to other eligible nonprofit
 1026 scholarship-funding organizations to provide scholarships for
 1027 eligible students. All transferred funds must be deposited by
 1028 each eligible nonprofit scholarship-funding organization
 1029 receiving such funds into its scholarship account. All
 1030 transferred amounts received by any eligible nonprofit
 1031 scholarship-funding organization must be separately disclosed in
 1032 the annual financial audit required under paragraph (m).

1033 3. Must, before granting a scholarship for an academic
 1034 year, document each scholarship student's eligibility for that
 1035 academic year. A scholarship-funding organization may not grant
 1036 multiyear scholarships in one approval process.

1037 (o)1.a. Must participate in the joint development of
 1038 agreed-upon procedures during the 2009-2010 state fiscal year.
 1039 The agreed-upon procedures must uniformly apply to all private
 1040 schools and must determine, at a minimum, whether the private
 1041 school has been verified as eligible by the Department of
 1042 Education under s. 1002.421; has an adequate accounting system,
 1043 system of financial controls, and process for deposit and
 1044 classification of scholarship funds; and has properly expended

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1045 scholarship funds for education-related expenses. During the
 1046 development of the procedures, the participating scholarship-
 1047 funding organizations shall specify guidelines governing the
 1048 materiality of exceptions that may be found during the
 1049 accountant's performance of the procedures. The procedures and
 1050 guidelines ~~must shall~~ be provided to private schools and the
 1051 Commissioner of Education by March 15, 2011.

1052 b. Must participate in a joint review of the agreed-upon
 1053 procedures and guidelines developed under sub-subparagraph a.,
 1054 by February of each biennium, if the scholarship-funding
 1055 organization provided more than \$250,000 in scholarship funds ~~to~~
 1056 ~~an eligible private school~~ under this chapter during the state
 1057 fiscal year preceding the biennial review. If the procedures and
 1058 guidelines are revised, the revisions must be provided to
 1059 private schools and the Commissioner of Education by March 15 of
 1060 the year in which the revisions were completed. The revised
 1061 agreed-upon procedures and guidelines must shall take effect the
 1062 subsequent school year. ~~For the 2018-2019 school year only, the~~
 1063 ~~joint review of the agreed-upon procedures must be completed and~~
 1064 ~~the revisions submitted to the commissioner no later than~~
 1065 ~~September 15, 2019. The revised procedures are applicable to the~~
 1066 ~~2018-2019 school year.~~

1067 c. Must monitor the compliance of a private school with s.
 1068 1002.421(1)(q) if the scholarship-funding organization provided
 1069 the majority of the scholarship funding to the school. For each
 1070 private school subject to s. 1002.421(1)(q), the appropriate
 1071 scholarship-funding organization shall annually notify the
 1072 Commissioner of Education by October 30 of:

1073 (I) A private school's failure to submit a report required

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1074 under s. 1002.421(1)(q); or

1075 (II) Any material exceptions set forth in the report
 1076 required under s. 1002.421(1)(q).

1077 2. Must seek input from the accrediting associations that
 1078 are members of the Florida Association of Academic Nonpublic
 1079 Schools and the Department of Education when jointly developing
 1080 the agreed-upon procedures and guidelines under sub-subparagraph
 1081 1.a. and conducting a review of those procedures and guidelines
 1082 under sub-subparagraph 1.b.

1083 (r) Must participate in the joint development of agreed-
 1084 upon purchasing guidelines for authorized uses of scholarship
 1085 funds under this chapter. The purchasing guidelines must be
 1086 provided to the Commissioner of Education and posted on the
 1087 eligible nonprofit scholarship-funding organization's website by
 1088 December 31, 2023, and annually thereafter.

1089 (s) May permit eligible students to use program funds for
 1090 the purposes listed in paragraph (d) by paying for the
 1091 authorized use directly, then submitting a reimbursement request
 1092 to the eligible nonprofit scholarship-funding organization.
 1093 However, an eligible nonprofit scholarship-funding organization
 1094 may elect not to provide reimbursements and only allow direct
 1095 purchases using program funds.

1096 (t) Must notify each parent that participation in the
 1097 scholarship program does not guarantee enrollment.

1098 Information and documentation provided to the Department of
 1099 Education and the Auditor General relating to the identity of a
 1100 taxpayer that provides an eligible contribution under this
 1101 section shall remain confidential at all times in accordance
 1102

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1103 with s. 213.053.

1104 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
1105 PARTICIPATION.-

1106 (a) A parent whose student will be enrolled full time in a
1107 private school must:

1108 1. The parent must Select an eligible private school and
1109 apply for the admission of his or her child.

1110 2. (b) The parent must Inform the child's school district
1111 when the parent withdraws his or her child to attend an eligible
1112 private school.

1113 3. (e) Require his or her Any student participating in the
1114 ~~scholarship program to must~~ remain in attendance throughout the
1115 school year unless excused by the school for illness or other
1116 good cause ~~and-~~

1117 ~~(d) Each parent and each student has an obligation to the~~
1118 ~~private school to~~ comply with the private school's published
1119 policies.

1120 4. (e) Require his or her ~~The parent shall ensure that the~~
1121 ~~student participating in the scholarship program to take takes~~
1122 ~~the norm-referenced assessment offered by the private school.~~
1123 The parent may also choose to have the student participate in
1124 the statewide assessments pursuant to s. 1008.22. If the parent
1125 requests that the student participating in the scholarship
1126 program take statewide assessments pursuant to s. 1008.22 and
1127 the private school has not chosen to offer and administer the
1128 statewide assessments, the parent is responsible for
1129 transporting the student to the assessment site designated by
1130 the school district.

1131 5. (f) Upon receipt of a scholarship warrant from the

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1132 ~~eligible nonprofit scholarship-funding organization, the parent~~
1133 ~~to whom the warrant is made must restrictively endorse the~~
1134 ~~warrant to the private school for deposit into the account of~~
1135 ~~the private school. If payments are made by funds transfer, the~~
1136 ~~parent must~~ Approve each payment before the scholarship funds
1137 may be deposited by funds transfer. The parent may not designate
1138 any entity or individual associated with the participating
1139 private school as the parent's attorney in fact to endorse a
1140 scholarship warrant or approve a funds transfer. A participant
1141 who fails to comply with this paragraph forfeits the
1142 scholarship.

1143 6. (g) The parent shall Authorize the nonprofit scholarship-
1144 funding organization to access information needed for income
1145 eligibility determination and verification held by other state
1146 or federal agencies, including the Department of Revenue, the
1147 Department of Children and Families, the Department of
1148 Education, the Department of Economic Opportunity, and the
1149 Agency for Health Care Administration.

1150 (b) A parent whose student will be enrolled in a home
1151 education program with the school district in which the student
1152 resides must:

1153 1. Apply to an eligible nonprofit scholarship-funding
1154 organization to participate in the program by a date set by the
1155 organization. The request must be communicated directly to the
1156 organization in a manner that creates a written or electronic
1157 record of the request and the date of receipt of the request.

1158 2. Sign an agreement with the organization and annually
1159 submit a sworn compliance statement to the organization to
1160 satisfy or maintain program eligibility, including eligibility

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1161 to receive and spend program payments, by:

1162 a. Affirming that the parent has established and maintains

1163 a home education program in accordance with s. 1002.41.

1164 b. Affirming that the program funds are used only for

1165 authorized purposes serving the student's educational needs, as

1166 described in paragraph (6) (d), and that they will not receive a

1167 payment, refund, or rebate of any funds provided under this

1168 section.

1169 c. Affirming that the parent is responsible for all

1170 eligible expenses in excess of the amount of the scholarship and

1171 for the education of his or her student.

1172 3. Require the student to take a nationally norm-referenced

1173 test identified by the Department of Education, or a statewide

1174 assessment under s. 1008.22, and provide educational records and

1175 assessment results to a choice navigator before the student's

1176 program renewal.

1177 4. Meet with a choice navigator at least annually before

1178 the student's program renewal to:

1179 a. Discuss the academic needs and progress of the student

1180 based on educational records submitted by the parent and annual

1181 assessment results.

1182 b. Select educational options based on the academic needs

1183 of the student.

1184 5. Affirm that the student remains in good standing with

1185 the provider or school if those options are selected by the

1186 parent.

1187 6. Renew participation in the program each year. A student

1188 whose participation in the program is not renewed may continue

1189 to spend scholarship funds that are in his or her account from

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1190 prior years unless the account must be closed pursuant to s.

1191 1002.394(5) (a)2.

1192 7. Procure the services necessary to educate the student.

1193 When the student receives a scholarship, the district school

1194 board is not obligated to provide the student with a free

1195 appropriate public education.

1196 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of

1197 Education shall:

1198 (a) Annually submit to the department and division, by

1199 March 15, a list of eligible nonprofit scholarship-funding

1200 organizations that meet the requirements of paragraph (2) (g)

1201 ~~(2) (f)~~.

1202 (b) Annually verify the eligibility of nonprofit

1203 scholarship-funding organizations that meet the requirements of

1204 paragraph (2) (g) ~~(2) (f)~~.

1205 (f) Issue a project grant award to a state university, to

1206 which participating private schools and choice navigators must

1207 report the scores of participating students on the nationally

1208 norm-referenced tests or the statewide assessments administered

1209 by the private school in grades 3 through 10. The project term

1210 is 2 years, and the amount of the project is up to \$250,000 per

1211 year. The project grant award must be reissued in 2-year

1212 intervals in accordance with this paragraph.

1213 1. The state university must annually report to the

1214 Department of Education on the student performance of

1215 participating students:

1216 a. On a statewide basis. The report ~~must~~ shall also

1217 include, to the extent possible, a comparison of scholarship

1218 students' performance to the statewide student performance of

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1219 public school students with socioeconomic backgrounds similar to
 1220 those of students participating in the scholarship program. To
 1221 minimize costs and reduce time required for the state
 1222 university's analysis and evaluation, the Department of
 1223 Education shall coordinate with the state university to provide
 1224 data to the state university in order to conduct analyses of
 1225 matched students from public school assessment data and
 1226 calculate control group student performance using an agreed-upon
 1227 methodology with the state university; and

1228 b. On an individual school basis. The annual report must
 1229 include student performance for each participating private
 1230 school in which ~~at least 51 percent of the total~~ enrolled
 1231 students in the private school participated in a scholarship
 1232 program under this section or s. 1002.394(12)(a) the Florida Tax
 1233 Credit Scholarship Program in the prior school year. The report
 1234 must shall be according to each participating private school,
 1235 and for participating students, in which there are at least 30
 1236 participating students who have scores for tests administered.
 1237 If the state university determines that the 30-participating-
 1238 student cell size may be reduced without disclosing personally
 1239 identifiable information, as described in 34 C.F.R. s. 99.12, of
 1240 a participating student, the state university may reduce the
 1241 participating-student cell size, but the cell size must not be
 1242 reduced to less than 10 participating students. The department
 1243 shall provide each private school's prior school year's student
 1244 enrollment information to the state university no later than
 1245 June 15 of each year, or as requested by the state university.

1246 2. The sharing and reporting of student performance data
 1247 under this paragraph must be in accordance with requirements of

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1248 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family
 1249 Educational Rights and Privacy Act, and the applicable rules and
 1250 regulations issued pursuant thereto, and shall be for the sole
 1251 purpose of creating the annual report required by subparagraph
 1252 1. All parties must preserve the confidentiality of such
 1253 information as required by law. The annual report must not
 1254 disaggregate data to a level that will identify individual
 1255 participating schools, except as required under sub-subparagraph
 1256 1.b., or disclose the academic level of individual students.

1257 3. The annual report required by subparagraph 1. must shall
 1258 be published by the Department of Education on its website.

1259 (11) SCHOLARSHIP AMOUNT AND PAYMENT.—

1260 (b) Payment of the scholarship by the eligible nonprofit
 1261 scholarship-funding organization must shall be by individual
 1262 warrant made payable to the student's parent or by funds
 1263 transfer, including, but not limited to, debit cards, electronic
 1264 payment cards, or any other means of payment that the department
 1265 deems to be commercially viable or cost-effective. ~~If the~~
 1266 ~~payment is made by warrant, the warrant must be delivered by the~~
 1267 ~~eligible nonprofit scholarship-funding organization to the~~
 1268 ~~private school of the parent's choice, and the parent shall~~
 1269 ~~restrictively endorse the warrant to the private school.~~ An
 1270 eligible nonprofit scholarship-funding organization shall ensure
 1271 that ~~the parent to whom the warrant is made restrictively~~
 1272 ~~endorsed the warrant to the private school for deposit into the~~
 1273 ~~account of the private school or~~ that the parent has approved a
 1274 funds transfer before any scholarship funds are deposited.

1275 (e) An eligible nonprofit scholarship-funding organization
 1276 may not transfer any funds to an account of a student determined

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1277 eligible under this section which has a balance in excess of
 1278 \$24,000.

1279 (f) A scholarship awarded to an eligible student must
 1280 remain in force until:

1281 1. The organization determines that the student is not
 1282 eligible for program renewal;

1283 2. The Commissioner of Education suspends or revokes
 1284 program participation or use of funds;

1285 3. The student's parent has forfeited participation in the
 1286 program for failure to comply with subsection (7);

1287 4. The student enrolls in a public school. However, if a
 1288 student enters a Department of Juvenile Justice detention center
 1289 for a period of no more than 21 days, the student is not
 1290 considered to have returned to a public school on a full-time
 1291 basis for that purpose; or

1292 5. The student graduates from high school or attains 21
 1293 years of age, whichever occurs first.

1294 (g) Reimbursements for program expenditures may continue
 1295 until the account balance is expended or remaining funds have
 1296 reverted to the state.

1297 (h) A student's scholarship account must be closed and any
 1298 remaining funds must revert to the state after:

1299 1. Denial or revocation of program eligibility by the
 1300 commissioner for fraud or abuse, including, but not limited to,
 1301 the student or student's parent accepting any payment, refund,
 1302 or rebate, in any manner, from a provider of any services
 1303 received pursuant to paragraph (6) (d); or

1304 2. Two consecutive fiscal years in which an account has
 1305 been inactive.

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1306 (16) OBLIGATIONS OF CHOICE NAVIGATOR.—Beginning January 1,
 1307 2024, a choice navigator must:

1308 (a) Review educational records and assessment results to
 1309 determine the academic needs of a student.

1310 (b) Identify educational options authorized under paragraph
 1311 (6) (d) to address the academic needs of a student.

1312 (c) Provide guidance to enable parents to choose the best
 1313 option or options for their student.

1314 (d) Report the scores of all participating students to a
 1315 state university as described in paragraph (9) (f).

1316 Section 4. Paragraphs (e) and (f) of subsection (2) of
 1317 section 1002.40, Florida Statutes, are amended to read:

1318 1002.40 The Hope Scholarship Program.—

1319 (2) DEFINITIONS.—As used in this section, the term:

1320 (e) "Eligible nonprofit scholarship-funding organization"
 1321 or "organization" has the same meaning as provided in s.
 1322 1002.395(2) e. ~~1002.395(2) (f).~~

1323 (f) "Eligible private school" has the same meaning as
 1324 provided in s. 1002.395(2) e. ~~1002.395(2) (g).~~

1325 Section 5. Paragraph (c) of subsection (3) of section
 1326 1002.421, Florida Statutes, is amended to read:

1327 1002.421 State school choice scholarship program
 1328 accountability and oversight.—

1329 (3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—
 1330 The Commissioner of Education:

1331 (c) May permanently deny or revoke the authority of an
 1332 owner, officer, or director ~~or operator~~ to establish or operate
 1333 a private school in the state and include such individual on the
 1334 disqualification list maintained by the department pursuant to

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1335 s. 1001.10(4)(b) if the commissioner decides that the owner,
 1336 officer, or director ~~or operator~~;

1337 1. Is operating or has operated an educational institution
 1338 in the state or another state or jurisdiction in a manner
 1339 contrary to the health, safety, or welfare of the public; or

1340 2. Has operated an educational institution that closed
 1341 during the school year. An individual may be removed from the
 1342 disqualification list if the individual reimburses the
 1343 department or eligible nonprofit scholarship-funding
 1344 organization the amount of scholarship funds received by the
 1345 educational institution during the school year in which it
 1346 closed, and shall include such individuals on the
 1347 disqualification list maintained by the department pursuant to
 1348 s. 1001.10(4)(b).

1349 Section 6. Section 1002.44, Florida Statutes, is created to
 1350 read:

1351 1002.44 Part-time public school enrollment.-

1352 (1) Any public school in this state, including a charter
 1353 school, may enroll a student on a part-time basis who meets the
 1354 regular school attendance criteria in s. 1003.01(13)(b)-(e),
 1355 subject to space and availability according to the school's
 1356 capacity determined pursuant to s. 1002.31(2)(b).

1357 (2) A student attending a public school on a part-time
 1358 basis pursuant to this section shall generate full-time
 1359 equivalent student membership as described in s. 1011.61(1)(b).

1360 (3) A student attending a public school on a part-time
 1361 basis pursuant to this section is not considered to be in
 1362 regular attendance at a public school as defined in s.
 1363 1003.01(13)(a).

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1364 Section 7. Subsection (4) of section 1003.4282, Florida
 1365 Statutes, is amended to read:

1366 1003.4282 Requirements for a standard high school diploma.-
 1367 ~~(4) ONLINE COURSE REQUIREMENT. At least one course within~~
 1368 ~~the 24 credits required under this section must be completed~~
 1369 ~~through online learning.~~

1370 ~~(a) An online course taken in grade 6, grade 7, or grade 8~~
 1371 ~~fulfills the requirements of this subsection. The requirement is~~
 1372 ~~met through an online course offered by the Florida Virtual~~
 1373 ~~School, a virtual education provider approved by the State Board~~
 1374 ~~of Education, a high school, or an online dual enrollment~~
 1375 ~~course. A student who is enrolled in a full time or part time~~
 1376 ~~virtual instruction program under s. 1002.45 meets the~~
 1377 ~~requirement.~~

1378 ~~(b) A district school board or a charter school governing~~
 1379 ~~board, as applicable, may allow a student to satisfy the online~~
 1380 ~~course requirements of this subsection by completing a blended~~
 1381 ~~learning course or a course in which the student earns a~~
 1382 ~~nationally recognized industry certification in information~~
 1383 ~~technology that is identified on the CAPE Industry Certification~~
 1384 ~~Funding List pursuant to s. 1008.44 or passing the information~~
 1385 ~~technology certification examination without enrolling in or~~
 1386 ~~completing the corresponding course or courses, as applicable.~~

1387
 1388 ~~For purposes of this subsection, a school district may not~~
 1389 ~~require a student to take the online or blended learning course~~
 1390 ~~outside the school day or in addition to a student's courses for~~
 1391 ~~a given semester. This subsection does not apply to a student~~
 1392 ~~who has an individual education plan under s. 1003.57 which~~

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1393 ~~indicates that an online or blended learning course would be~~
 1394 ~~inappropriate or to an out-of-state transfer student who is~~
 1395 ~~enrolled in a Florida high school and has 1 academic year or~~
 1396 ~~less remaining in high school.~~

1397 Section 8. No later than November 1, 2023, the State Board
 1398 of Education shall develop and recommend to the Governor and
 1399 Legislature for adoption during the 2024 legislative session
 1400 repeals and revisions to the Florida Early Learning-20 Education
 1401 Code, chapters 1000-1013, Florida Statutes, to reduce regulation
 1402 on public schools. The state board shall consider input from
 1403 teachers, superintendents, administrators, school boards, public
 1404 and private postsecondary institutions, home educators, and
 1405 other entities identified by the state board.

1406 Section 9. Subsections (1) and (2) and paragraph (a) of
 1407 subsection (3) of section 1006.21, Florida Statutes, are amended
 1408 to read:

1409 1006.21 Duties of district school superintendent and
 1410 district school board regarding transportation.—

1411 (1) The district school superintendent shall ascertain
 1412 which students should be transported to school or to school
 1413 activities, determine the most effective arrangement of
 1414 transportation routes to accommodate these students; recommend
 1415 such routing to the district school board; recommend plans and
 1416 procedures for providing facilities for the economical and safe
 1417 transportation of students; recommend such rules as may be
 1418 necessary and see that all rules relating to the transportation
 1419 of students approved by the district school board, ~~as well as~~
 1420 ~~rules of the State Board of Education,~~ are properly carried into
 1421 effect, as prescribed in this chapter.

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1422 (2) After considering recommendations of the district
 1423 school superintendent, the district school board shall make
 1424 provision for the transportation of students to the public
 1425 schools or school activities they are required or expected to
 1426 attend; authorize transportation routes arranged efficiently and
 1427 economically; provide the necessary transportation facilities,
 1428 ~~and, when authorized under rules of the State Board of Education~~
 1429 ~~and if more economical to do so,~~ provide limited subsistence in
 1430 lieu thereof; and adopt the necessary rules to ensure safety,
 1431 economy, and efficiency in the operation of all buses and other
 1432 vehicles used to transport students, as prescribed in this
 1433 chapter.

1434 (3) District school boards, after considering
 1435 recommendations of the district school superintendent:

1436 (a) Shall provide transportation for each student in
 1437 prekindergarten disability programs and in kindergarten through
 1438 grade 12 membership in a public school when, and only when,
 1439 transportation is necessary to provide adequate educational
 1440 facilities and opportunities which otherwise would not be
 1441 available ~~and to transport students whose homes are more than a~~
 1442 ~~reasonable walking distance, as defined by rules of the State~~
 1443 ~~Board of Education, from the nearest appropriate school.~~

1444 Section 10. Section 1006.22, Florida Statutes, is amended
 1445 to read:

1446 1006.22 Safety and health of students being transported.—
 1447 Maximum regard for safety and adequate protection of health are
 1448 primary requirements that must be observed by district school
 1449 boards in routing buses, appointing drivers, and providing and
 1450 operating equipment, ~~in accordance with all requirements of law~~

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1451 and rules of the State Board of Education in providing
1452 transportation pursuant to s. 1006.21:

1453 (1) ~~(a) District school boards shall use school buses, as~~
1454 ~~defined in s. 1006.25, for all regular transportation. Regular~~
1455 ~~transportation or regular use means transportation of students~~
1456 ~~to and from school or school-related activities that are part of~~
1457 ~~a scheduled series or sequence of events to the same location.~~
1458 ~~"Students" means, for the purposes of this section, students~~
1459 ~~enrolled in the public schools in prekindergarten disability~~
1460 ~~programs and in kindergarten through grade 12. District school~~
1461 ~~boards may regularly use motor vehicles other than school buses~~
1462 ~~only under the following conditions:~~

1463 ~~1. When the transportation is for physically handicapped or~~
1464 ~~isolated students and the district school board has elected to~~
1465 ~~provide for the transportation of the student through written or~~
1466 ~~oral contracts or agreements.~~

1467 ~~2. When the transportation is a part of a comprehensive~~
1468 ~~contract for a specialized educational program between a~~
1469 ~~district school board and a service provider who provides~~
1470 ~~instruction, transportation, and other services.~~

1471 ~~3. When the transportation is provided through a public~~
1472 ~~transit system.~~

1473 ~~4. When the transportation is for trips to and from school~~
1474 ~~sites or agricultural education sites or for trips to and from~~
1475 ~~agricultural education-related events or competitions, but is~~
1476 ~~not for customary transportation between a student's residence~~
1477 ~~and such sites.~~

1478 ~~5. When the transportation is for trips to and from school~~
1479 ~~sites but is not for customary transportation between a~~

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1480 ~~student's residence and such sites.~~

1481 ~~(b) When the transportation of students is provided, as~~
1482 ~~authorized in this subsection, in a vehicle other than a school~~
1483 ~~bus that is owned, operated, rented, contracted, or leased by a~~
1484 ~~school district or charter school, the following provisions~~
1485 ~~shall apply:~~

1486 ~~1. The vehicle must be designed to transport fewer than 10~~
1487 ~~students or be a multifunction school activity bus, as defined~~
1488 ~~in 49 C.F.R. s. 571.3, if it is designed to transport more than~~
1489 ~~10 persons. Students must be transported in designated seating~~
1490 ~~positions and must use the occupant crash protection system~~
1491 ~~provided by the manufacturer unless the student's physical~~
1492 ~~condition prohibits such use.~~

1493 ~~2. An authorized vehicle may not be driven by a student on~~
1494 ~~a public right-of-way. An authorized vehicle may be driven by a~~
1495 ~~student on school or private property as part of the student's~~
1496 ~~educational curriculum if no other student is in the vehicle.~~

1497 ~~3. The driver of an authorized vehicle transporting~~
1498 ~~students must maintain a valid driver license and must comply~~
1499 ~~with the requirements of the school district's locally adopted~~
1500 ~~safe driver plan, which includes review of driving records for~~
1501 ~~disqualifying violations.~~

1502 ~~4. The district school board or charter school must adopt a~~
1503 ~~policy that addresses procedures and liability for trips under~~
1504 ~~this paragraph, including a provision that school buses are to~~
1505 ~~be used whenever practical and specifying consequences for~~
1506 ~~violation of the policy.~~

1507 ~~(2) Except as provided in subsection (1), District school~~
1508 ~~boards may authorize the transportation of students in privately~~

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1509 owned motor vehicles on a case-by-case basis only in the
 1510 following circumstances:

1511 ~~(a) When a student is ill or injured and must be taken home~~
 1512 ~~or to a medical treatment facility under nonemergency~~
 1513 ~~circumstances; and~~

1514 1. The school has been unable to contact the student's
 1515 parent or the parent or responsible adult designated by the
 1516 parent is not available to provide the transportation;

1517 2. Proper adult supervision of the student is available at
 1518 the location to which the student is being transported;

1519 3. The transportation is approved by the school principal,
 1520 or a school administrator designated by the principal to grant
 1521 or deny such approval, or in the absence of the principal and
 1522 designee, by the highest ranking school administrator or teacher
 1523 available under the circumstances; and

1524 4. If the school has been unable to contact the parent
 1525 prior to the transportation, the school shall continue to seek
 1526 to contact the parent until the school is able to notify the
 1527 parent of the transportation and the pertinent circumstances.

1528 ~~(b) When the transportation is in connection with a school~~
 1529 ~~function or event regarding which the district school board or~~
 1530 ~~school has undertaken to participate or to sponsor or provide~~
 1531 ~~the participation of students; and~~

1532 1. The function or event is a single event that is not part
 1533 of a scheduled series or sequence of events to the same
 1534 location, such as, but not limited to, a field trip, a
 1535 recreational outing, an interscholastic competition or
 1536 cooperative event, an event connected with an extracurricular
 1537 activity offered by the school, or an event connected to an

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1538 ~~educational program, such as, but not limited to, a job~~
 1539 ~~interview as part of a cooperative education program;~~

1540 2. Transportation is not available, as a practical matter,
 1541 using a school bus or school district passenger car; and

1542 3. Each student's parent is notified, in writing, regarding
 1543 the transportation arrangement and gives written consent before
 1544 a student is transported in a privately owned motor vehicle.

1545 ~~(c) When a district school board requires employees such as~~
 1546 ~~school social workers and attendance officers to use their own~~
 1547 ~~motor vehicles to perform duties of employment, and such duties~~
 1548 ~~include the occasional transportation of students.~~

1549 (2)(3) When approval is granted for the transportation of
 1550 students in a privately owned vehicle, the provisions of s.
 1551 1006.24 regarding liability for tort claims are applicable.

1552 District school board employees who provide approved
 1553 transportation in privately owned vehicles are acting within the
 1554 scope of their employment. Parents or other responsible adults
 1555 who provide approved transportation in privately owned vehicles
 1556 have the same exposure to, and protections from, risks of
 1557 personal liability as do district school board employees acting
 1558 within the scope of their employment.

1559 (3)(4) Each district school board may establish policies
 1560 that restrict the use of privately owned motor vehicles to
 1561 circumstances that are more limited than are described in this
 1562 section or that prohibit such use. Each district school board
 1563 may establish written policies that provide for more extensive
 1564 requirements for approval, parental notification and consent
 1565 procedures, insurance coverage, driver qualifications, or a
 1566 combination of these.

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1567 (4)~~(5)~~ When transportation is authorized in privately owned
 1568 vehicles, students may be transported only in designated seating
 1569 positions and must use the occupant crash protection system
 1570 provided by the vehicle manufacturer.

1571 (5)~~(6)~~ District school boards may contract with a common
 1572 carrier to transport students to and from in-season and
 1573 postseason athletic contests and to and from a school function
 1574 or event in which the district school board or a school has
 1575 undertaken to participate or to provide for or sponsor the
 1576 participation of students.

1577 (6)~~(7)~~ Transportation for adult students may be provided by
 1578 any appropriate means as authorized by the district school board
 1579 when the transportation is accepted as a responsibility by the
 1580 district school board as provided in s. 1006.21.

1581 (7)~~(8)~~ Notwithstanding any other provision of this section,
 1582 in an emergency situation that constitutes an imminent threat to
 1583 student health or safety, school personnel may take whatever
 1584 action is necessary under the circumstances to protect student
 1585 health and safety.

1586 (8)~~(9)~~ Except as provided in s. 1006.261, transportation is
 1587 not the responsibility of the district school board in
 1588 connection with any event or activity that is not an event or
 1589 activity offered by the district school board or an event or an
 1590 activity in which the district school board or school has agreed
 1591 to participate, cosponsor, or require the participation of
 1592 students, and the district school board has no liability for
 1593 transportation arranged and provided by parents or other parties
 1594 to such events or activities.

1595 (9)~~(10)~~ Each district school board shall designate and

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1596 adopt a specific plan for adequate examination, maintenance, and
 1597 repair of transportation equipment. ~~Examination of the
 1598 mechanical and safety condition of each school bus must be made
 1599 as required pursuant to rule of the State Board of Education.
 1600 The State Board of Education shall base the rule on student
 1601 safety considerations.~~

1602 (10)~~(11)~~ The district school superintendent shall notify
 1603 the district school board of any school bus or other vehicle
 1604 used to transport students that does not meet all requirements
 1605 of law and rules of the State Board of Education, and the
 1606 district school board must shall, if the school bus or vehicle
 1607 is in an unsafe condition, withdraw it from use until it as a
 1608 school bus until the bus meets the requirements. ~~The department
 1609 may inspect or have inspected any school bus to determine
 1610 whether the bus meets requirements of law and rules of the State
 1611 Board of Education. The department may, after due notice to a
 1612 district school board that any school bus does not meet certain
 1613 requirements of law and rules of the State Board of Education,
 1614 rule that the bus must be withdrawn from use as a school bus,
 1615 this ruling to be effective immediately or upon a date specified
 1616 in the ruling, whereupon the district school board shall
 1617 withdraw the school bus from use as a school bus until it meets
 1618 requirements of law and rules of the State Board of Education
 1619 and until the department has officially revoked the pertinent
 1620 ruling.~~ Notwithstanding any other provisions of this chapter,
 1621 general purpose urban transit systems are declared qualified to
 1622 transport students to and from school.

1623 (11) (a)~~(12) (a)~~ The routing and scheduling of school buses
 1624 and other vehicles used to transport students must be planned to

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1625 eliminate the necessity for students to stand while a school bus
 1626 is in motion. When circumstances of an emergency nature, as
 1627 defined by written district school board policy, temporarily
 1628 require transporting students in vehicles ~~on school buses~~ in
 1629 excess of the rated seating capacity, the vehicles ~~buses~~ must
 1630 proceed at a reduced rate of speed to maximize safety of the
 1631 students, taking into account existing traffic conditions. ~~Each~~
 1632 ~~district school board is responsible for prompt relief of the~~
 1633 ~~emergency condition by providing additional equipment, bus~~
 1634 ~~rerouting, bus rescheduling, or other appropriate remedial~~
 1635 ~~action, and must maintain written district school board policies~~
 1636 ~~to address such situations.~~

1637 (b) ~~Each district school board, after considering~~
 1638 ~~recommendations from the district school superintendent, shall~~
 1639 ~~designate, by map or otherwise, or shall provide by district~~
 1640 ~~school board rule for the designation of, nontransportation~~
 1641 ~~zones that are composed of all areas in the school district from~~
 1642 ~~which it is unnecessary or impracticable to furnish~~
 1643 ~~transportation. Nontransportation zones must be designated~~
 1644 ~~annually before the opening of school and the designation of bus~~
 1645 ~~routes for the succeeding school year. Each district school~~
 1646 ~~board, after considering recommendations from the district~~
 1647 ~~school superintendent, shall specifically designate, or shall~~
 1648 ~~provide by district school board rule for the designation of,~~
 1649 ~~specific routes to be traveled regularly by school buses, and~~
 1650 ~~each route must meet the requirements prescribed by rules of the~~
 1651 ~~State Board of Education.~~

1652 (c) Each district school board shall establish school bus
 1653 stops, or provide by district school board rule for the

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1654 establishment of school bus stops, as necessary at the most
 1655 reasonably safe locations available. Where unusual traffic
 1656 hazards exist at school bus stops on roads maintained by the
 1657 state outside of municipalities, the Department of
 1658 Transportation, in concurrence and cooperation with and upon
 1659 request of the district school board, shall place signs at such
 1660 bus stops warning motorists of the location of the stops.

1661 ~~(12)(13)~~ The State Board of Education may adopt rules to
 1662 implement this section as are necessary or desirable in the
 1663 interest of student health and safety.

1664 Section 11. Subsections (2), (3), and (4) of section
 1665 1006.25, Florida Statutes, are amended to read:

1666 1006.25 School buses.—School buses shall be defined and
 1667 meet specifications as follows:

1668 (2) SPECIFICATIONS.—Each school bus as defined in 49 C.F.R.
 1669 part 571 and subsection (1) that is rented, leased, purchased,
 1670 or contracted for must meet the applicable federal motor vehicle
 1671 safety standards ~~and other specifications as prescribed by rules~~
 1672 ~~of the State Board of Education.~~

1673 (3) STANDARDS FOR LEASED VEHICLES.—~~A motor vehicle owned~~
 1674 ~~and operated by a county or municipal transit authority that is~~
 1675 ~~leased by the district school board for transportation of public~~
 1676 ~~school students must meet such standards as the State Board of~~
 1677 ~~Education establishes by rule. A school bus authorized by a~~
 1678 ~~district school board to carry passengers other than school~~
 1679 ~~students must have the words "School Bus" and any other signs~~
 1680 ~~and insignia that mark or designate it as a school bus covered,~~
 1681 ~~removed, or otherwise concealed while such passengers are being~~
 1682 ~~transported.~~

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1683 (4) OCCUPANT PROTECTION SYSTEMS.—Students may be
 1684 transported only in designated seating positions, except as
 1685 provided in s. 1006.22(11) ~~s. 1006.22(12)~~, and must use the
 1686 occupant crash protection system provided by the manufacturer,
 1687 which system must comply with the requirements of 49 C.F.R. part
 1688 571 ~~or with specifications of the State Board of Education.~~

1689 Section 12. Paragraph (a) of subsection (1) of section
 1690 1006.261, Florida Statutes, is amended to read:

1691 1006.261 Use of school buses for public purposes.—

1692 (1)(a) Each district school board may enter into agreements
 1693 with the governing body of a county or municipality in the
 1694 school district or any state agency or agencies established or
 1695 identified to assist in the provision of public transportation
 1696 and other public purposes, ~~including, but not limited to,~~
 1697 ~~providing for the needs of the transportation disadvantaged, as~~
 1698 ~~defined in s. 427.011, including, but not limited to, the~~
 1699 ~~elderly, pursuant to Pub. L. No. 89-73, as amended, for the use~~
 1700 ~~of the school buses of the school district by departments,~~
 1701 ~~boards, commissions, or officers of such county or municipality~~
 1702 ~~or of the state for county, municipal, or state purposes,~~
 1703 ~~including, but not limited to, transportation of the~~
 1704 ~~transportation disadvantaged or other public purposes.~~ Each such
 1705 agreement shall provide for reimbursement of the district school
 1706 board, in full or in part, for the proportionate share of fixed
 1707 and operating costs incurred by the district school board
 1708 attributable to the use of the buses pursuant to the agreement
 1709 or attributable to the maintenance or other activities conducted
 1710 by the district school board.

1711 Section 13. Subsection (1) of section 1006.27, Florida

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1712 Statutes, is amended to read:

1713 1006.27 Pooling of school buses and related purchases by
 1714 district school boards; transportation services contracts.—

1715 (1) The department shall assist district school boards in
 1716 securing school buses and other vehicles used for transporting
 1717 students, contractual needs, equipment, and supplies at as
 1718 reasonable prices as possible by providing a plan under which
 1719 district school boards may voluntarily pool their bids for such
 1720 purchases. The department shall prepare bid forms and
 1721 specifications, obtain quotations of prices and make such
 1722 information available to district school boards in order to
 1723 facilitate this service. District school boards from time to
 1724 time, as prescribed by State Board of Education rule, shall
 1725 furnish the department with information concerning the prices
 1726 paid for such items and the department shall furnish to district
 1727 school boards periodic information concerning the lowest prices
 1728 at which school buses and other vehicles used for transporting
 1729 students, equipment, and related supplies are available based
 1730 upon comparable specifications.

1731 Section 14. Paragraph (f) is added to subsection (14) of
 1732 section 1011.62, Florida Statutes, to read:

1733 1011.62 Funds for operation of schools.—If the annual
 1734 allocation from the Florida Education Finance Program to each
 1735 district for operation of schools is not determined in the
 1736 annual appropriations act or the substantive bill implementing
 1737 the annual appropriations act, it shall be determined as
 1738 follows:

1739 (14) TEACHER SALARY INCREASE ALLOCATION.—The Legislature
 1740 may annually provide in the Florida Education Finance Program a

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1741 teacher salary increase allocation to assist school districts in
 1742 their recruitment and retention of classroom teachers and other
 1743 instructional personnel. The amount of the allocation shall be
 1744 specified in the General Appropriations Act.

1745 (f) Beginning July 1, 2023, any additional funding
 1746 appropriated for the Teacher Salary Increase Allocation above
 1747 the amount provided in fiscal year 2022-2023 may be used to
 1748 provide salary increases for the following personnel, in a
 1749 manner that best meets the needs of the school district or
 1750 charter school:

1751 1. Full-time classroom teachers, as defined in s.
 1752 1012.01(2)(a), plus certified prekindergarten teachers funded in
 1753 the Florida Education Finance Program. This subparagraph does
 1754 not apply to substitute teachers.

1755 2. Other full-time instructional personnel as defined in s.
 1756 1012.01(2)(b)-(d).

1757 Section 15. Paragraph (c) of subsection (1) of section
 1758 1012.22, Florida Statutes, is amended to read:

1759 1012.22 Public school personnel; powers and duties of the
 1760 district school board.—The district school board shall:

1761 (1) Designate positions to be filled, prescribe
 1762 qualifications for those positions, and provide for the
 1763 appointment, compensation, promotion, suspension, and dismissal
 1764 of employees as follows, subject to the requirements of this
 1765 chapter:

1766 (c) *Compensation and salary schedules.*—

1767 1. Definitions.—As used in this paragraph:

1768 a. "Adjustment" means an addition to the base salary
 1769 schedule that is not a bonus and becomes part of the employee's

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1770 permanent base salary and shall be considered compensation under
 1771 s. 121.021(22).

1772 b. "Grandfathered salary schedule" means the salary
 1773 schedule or schedules adopted by a district school board before
 1774 July 1, 2014, pursuant to subparagraph 4.

1775 c. "Instructional personnel" means instructional personnel
 1776 as defined in s. 1012.01(2)(a)-(d), excluding substitute
 1777 teachers.

1778 d. "Performance salary schedule" means the salary schedule
 1779 or schedules adopted by a district school board pursuant to
 1780 subparagraph 5.

1781 e. "Salary schedule" means the schedule or schedules used
 1782 to provide the base salary for district school board personnel.

1783 f. "School administrator" means a school administrator as
 1784 defined in s. 1012.01(3)(c).

1785 g. "Supplement" means an annual addition to the base salary
 1786 for the term of the negotiated supplement as long as the
 1787 employee continues his or her employment for the purpose of the
 1788 supplement. A supplement does not become part of the employee's
 1789 continuing base salary but shall be considered compensation
 1790 under s. 121.021(22).

1791 2. Cost-of-living adjustment.—A district school board may
 1792 provide a cost-of-living salary adjustment if the adjustment:

1793 a. Does not discriminate among comparable classes of
 1794 employees based upon the salary schedule under which they are
 1795 compensated.

1796 b. Does not exceed 50 percent of the annual adjustment
 1797 provided to instructional personnel rated as effective.

1798 3. Advanced degrees.—A district school board may ~~not~~ use

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1799 advanced degrees in setting a salary schedule for instructional
1800 personnel or school administrators ~~hired on or after July 1,~~
1801 ~~2011, unless the advanced degree is held in the individual's~~
1802 ~~area of certification and is only a salary supplement.~~

1803 4. Grandfathered salary schedule.—

1804 a. The district school board shall adopt a salary schedule
1805 or salary schedules to be used as the basis for paying all
1806 school employees hired before July 1, 2014. Instructional
1807 personnel on annual contract as of July 1, 2014, shall be placed
1808 on the performance salary schedule adopted under subparagraph 5.
1809 Instructional personnel on continuing contract or professional
1810 service contract may opt into the performance salary schedule if
1811 the employee relinquishes such contract and agrees to be
1812 employed on an annual contract under s. 1012.335. Such an
1813 employee shall be placed on the performance salary schedule and
1814 may not return to continuing contract or professional service
1815 contract status. Any employee who opts into the performance
1816 salary schedule may not return to the grandfathered salary
1817 schedule.

1818 b. In determining the grandfathered salary schedule for
1819 instructional personnel, a district school board must base a
1820 portion of each employee's compensation upon performance
1821 demonstrated under s. 1012.34 and shall provide differentiated
1822 pay for both instructional personnel and school administrators
1823 based upon district-determined factors, including, but not
1824 limited to, additional responsibilities, school demographics,
1825 critical shortage areas, and level of job performance
1826 difficulties.

1827 5. Performance salary schedule.—By July 1, 2014, the

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1828 district school board shall adopt a performance salary schedule
1829 that provides annual salary adjustments for instructional
1830 personnel and school administrators based upon performance
1831 determined under s. 1012.34. Employees hired on or after July 1,
1832 2014, or employees who choose to move from the grandfathered
1833 salary schedule to the performance salary schedule shall be
1834 compensated pursuant to the performance salary schedule once
1835 they have received the appropriate performance evaluation for
1836 this purpose.

1837 a. Base salary.—The base salary shall be established as
1838 follows:

1839 (I) The base salary for instructional personnel or school
1840 administrators who opt into the performance salary schedule
1841 shall be the salary paid in the prior year, including
1842 adjustments only.

1843 (II) Instructional personnel or school administrators new
1844 to the district, returning to the district after a break in
1845 service without an authorized leave of absence, or appointed for
1846 the first time to a position in the district in the capacity of
1847 instructional personnel or school administrator shall be placed
1848 on the performance salary schedule. ~~Beginning July 1, 2021, and~~
1849 ~~until such time as the minimum base salary as defined in s.~~
1850 ~~1011.62(14) equals or exceeds \$47,500, the annual increase to~~
1851 ~~the minimum base salary shall not be less than 150 percent of~~
1852 ~~the largest adjustment made to the salary of an employee on the~~
1853 ~~grandfathered salary schedule. Thereafter, the annual increase~~
1854 ~~to the minimum base salary shall not be less than 75 percent of~~
1855 ~~the largest adjustment for an employee on the grandfathered~~
1856 ~~salary schedule.~~

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1857 b. Salary adjustments.—Salary adjustments for highly
1858 effective or effective performance shall be established as
1859 follows:

1860 (I) The annual salary adjustment under the performance
1861 salary schedule for an employee rated as highly effective must
1862 be at least 25 percent greater than the highest annual salary
1863 adjustment available to an employee of the same classification
1864 through any other salary schedule adopted by the district.

1865 (II) The annual salary adjustment under the performance
1866 salary schedule for an employee rated as effective must be equal
1867 to at least 50 percent and no more than 75 percent of the annual
1868 adjustment provided for a highly effective employee of the same
1869 classification.

1870 (III) A salary schedule may shall not provide an annual
1871 salary adjustment for an employee who receives a rating other
1872 than highly effective or effective for the year.

1873 c. Salary supplements.—In addition to the salary
1874 adjustments, each district school board shall provide for salary
1875 supplements for activities that must include, but are not
1876 limited to:

1877 (I) Assignment to a Title I eligible school.

1878 (II) Assignment to a school that earned a grade of "F" or
1879 three consecutive grades of "D" pursuant to s. 1008.34 such that
1880 the supplement remains in force for at least 1 year following
1881 improved performance in that school.

1882 (III) Certification and teaching in critical teacher
1883 shortage areas. Statewide critical teacher shortage areas shall
1884 be identified by the State Board of Education under s. 1012.07.
1885 However, the district school board may identify other areas of

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1886 critical shortage within the school district for purposes of
1887 this sub-sub-subparagraph and may remove areas identified by the
1888 state board which do not apply within the school district.

1889 (IV) Assignment of additional academic responsibilities.
1890

1891 If budget constraints in any given year limit a district school
1892 board's ability to fully fund all adopted salary schedules, the
1893 performance salary schedule may shall not be reduced on the
1894 basis of total cost or the value of individual awards in a
1895 manner that is proportionally greater than reductions to any
1896 other salary schedules adopted by the district. Any compensation
1897 for longevity of service awarded to instructional personnel who
1898 are on any other salary schedule must be included in calculating
1899 the salary adjustments required by sub-subparagraph b.

1900 Section 16. Paragraphs (e) and (f) of subsection (3),
1901 paragraph (d) of subsection (5), paragraphs (f), (g), and (h) of
1902 subsection (6), and paragraphs (b), (d), and (e) of subsection
1903 (7) of section 1012.56, Florida Statutes, are amended, and
1904 paragraph (g) is added to subsection (3) and paragraph (i) is
1905 added to subsection (6) of that section, to read:

1906 1012.56 Educator certification requirements.—

1907 (3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of
1908 demonstrating mastery of general knowledge are:

1909 (e) Documentation of 2 years of effective or highly
1910 effective teaching in a Florida public school while teaching
1911 under a temporary certification;

1912 (f) Achievement of passing scores, identified in state
1913 board rule, on national or international examinations that test
1914 comparable content and relevant standards in verbal, analytical

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1915 writing, and quantitative reasoning skills, including, but not
 1916 limited to, the verbal, analytical writing, and quantitative
 1917 reasoning portions of the Graduate Record Examination. Passing
 1918 scores identified in state board rule must be at approximately
 1919 the same level of rigor as is required to pass the general
 1920 knowledge examinations; or

1921 (g) ~~(f)~~ Documentation of receipt of a master's or higher
 1922 degree from an accredited postsecondary educational institution
 1923 that the Department of Education has identified as having a
 1924 quality program resulting in a baccalaureate degree or higher.
 1925

1926 A school district that employs an individual who does not
 1927 achieve passing scores on any subtest of the general knowledge
 1928 examination must provide information regarding the availability
 1929 of state-level and district-level supports and instruction to
 1930 assist him or her in achieving a passing score. Such information
 1931 must include, but need not be limited to, state-level test
 1932 information guides, school district test preparation resources,
 1933 and preparation courses offered by state universities and
 1934 Florida College System institutions.

1935 (5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of
 1936 demonstrating mastery of subject area knowledge are:

1937 (d) For a subject requiring a master's or higher degree,
 1938 completion of the subject area specialization requirements
 1939 specified in state board rule and achievement of a passing score
 1940 on the Florida-developed subject area examination or a
 1941 standardized examination that is directly related to the subject
 1942 specified in state board rule;
 1943

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1944 School districts are encouraged to provide mechanisms for middle
 1945 grades teachers holding only a K-6 teaching certificate to
 1946 obtain a subject area coverage for middle grades through
 1947 postsecondary coursework or district add-on certification.

1948 (6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION
 1949 COMPETENCE.—Acceptable means of demonstrating mastery of
 1950 professional preparation and education competence are:

1951 (f) Documentation of 2 years of effective or highly
 1952 effective teaching in a Florida public school while teaching
 1953 under a temporary certification;

1954 (g) Successful completion of professional preparation
 1955 courses as specified in state board rule, successful completion
 1956 of a professional preparation and education competence program
 1957 pursuant to paragraph (8)(b), and achievement of a passing score
 1958 on the professional education competency examination required by
 1959 state board rule;

1960 (h) ~~(g)~~ Successful completion of a professional development
 1961 certification and education competency program, outlined in
 1962 paragraph (8)(a); or

1963 (i) ~~(h)~~ Successful completion of a competency-based
 1964 certification program pursuant to s. 1004.85 and achievement of
 1965 a passing score on the professional education competency
 1966 examination required by rule of the State Board of Education.
 1967

1968 The State Board of Education shall adopt rules to implement this
 1969 subsection by December 31, 2014, including rules to approve
 1970 specific teacher preparation programs that are not identified in
 1971 this subsection which may be used to meet requirements for
 1972 mastery of professional preparation and education competence.

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1973 (7) TYPES AND TERMS OF CERTIFICATION.—
 1974 (b) The department shall issue a temporary certificate to
 1975 any applicant who:
 1976 1. Completes the requirements outlined in paragraphs
 1977 (2) (a)-(f) and has a job offer from a Florida public school
 1978 ~~completes the subject area content requirements specified in~~
 1979 ~~state board rule or demonstrates mastery of subject area~~
 1980 ~~knowledge pursuant to subsection (5) and holds an accredited~~
 1981 ~~degree or a degree approved by the Department of Education at~~
 1982 ~~the level required for the subject area specialization in state~~
 1983 ~~board rule; or~~
 1984 2. For a subject area specialization for which the state
 1985 board otherwise requires a bachelor's degree, documents 48
 1986 months of active-duty military service with an honorable
 1987 discharge or a medical separation; completes the requirements
 1988 outlined in paragraphs (2) (a), (b), and (d)-(f); ~~completes the~~
 1989 ~~subject area content requirements specified in state board rule~~
 1990 ~~or demonstrates mastery of subject area knowledge pursuant to~~
 1991 ~~subsection (5);~~ and documents completion of 60 college credits
 1992 with a minimum cumulative grade point average of 2.5 on a 4.0
 1993 scale, as provided by one or more accredited institutions of
 1994 higher learning or a nonaccredited institution of higher
 1995 learning identified by the Department of Education as having a
 1996 quality program resulting in a bachelor's degree or higher.
 1997 (d) A person who is issued a temporary certificate under
 1998 paragraph (b) ~~subparagraph (b)2-~~ must be assigned a teacher
 1999 mentor for a minimum of 2 school years after commencing
 2000 employment. Each teacher mentor selected by the school district,
 2001 charter school, or charter management organization must:

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2002 1. Hold a valid professional certificate issued pursuant to
 2003 this section;
 2004 2. Have earned at least 3 years of teaching experience in
 2005 prekindergarten through grade 12; and
 2006 3. Have earned an effective or highly effective rating on
 2007 the prior year's performance evaluation under s. 1012.34.
 2008 (e) ~~1-~~ A temporary certificate issued under paragraph (b)
 2009 ~~subparagraph (b)1-~~ is valid for 5 ~~3~~ school fiscal years and is
 2010 nonrenewable.
 2011 ~~2. A temporary certificate issued under subparagraph (b)2-~~
 2012 ~~is valid for 5 school fiscal years, is limited to a one-time~~
 2013 ~~issuance, and is nonrenewable.~~
 2014
 2015 At least 1 year before an individual's temporary certificate is
 2016 set to expire, the department shall electronically notify the
 2017 individual of the date on which his or her certificate will
 2018 expire and provide a list of each method by which the
 2019 qualifications for a professional certificate can be completed.
 2020 The State Board of Education shall adopt rules to allow the
 2021 department to extend the validity period of a temporary
 2022 certificate for 2 years when the requirements for the
 2023 professional certificate were not completed due to the serious
 2024 illness or injury of the applicant, the military service of an
 2025 applicant's spouse, other extraordinary extenuating
 2026 circumstances, or if the certificateholder is rated highly
 2027 effective in the immediate prior year's performance evaluation
 2028 pursuant to s. 1012.34 or has completed a 2-year mentorship
 2029 program pursuant to subsection (8). The department shall extend
 2030 the temporary certificate upon approval by the Commissioner of

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2031 Education. A written request for extension of the certificate
2032 shall be submitted by the district school superintendent, the
2033 governing authority of a university lab school, the governing
2034 authority of a state-supported school, or the governing
2035 authority of a private school.

2036 Section 17. Paragraph (e) is added to subsection (6) of
2037 section 1013.64, Florida Statutes, to read:

2038 1013.64 Funds for comprehensive educational plant needs;
2039 construction cost maximums for school district capital
2040 projects.—Allocations from the Public Education Capital Outlay
2041 and Debt Service Trust Fund to the various boards for capital
2042 outlay projects shall be determined as follows:

2043 (6)

2044 (e) Notwithstanding the requirements of this subsection, an
2045 unfinished construction project for new construction of
2046 educational plant space that was started on or before July 1,
2047 2026, is exempt from the total cost per student station
2048 requirements established in paragraph (b).

2049 Section 18. Present subsections (4), (5), and (6) of
2050 section 1002.321, Florida Statutes, are redesignated as
2051 subsections (3), (4), and (5), respectively, and present
2052 subsection (3) of that section is amended, to read:

2053 1002.321 Digital learning.—

2054 ~~(3) DIGITAL PREPARATION.—As required under s. 1003.4282, A~~
2055 ~~student entering grade 9 in the 2011-2012 school year and~~
2056 ~~thereafter who seeks a high school diploma must take at least~~
2057 ~~one online course.~~

2058 Section 19. Paragraphs (a) and (b) of subsection (2) of
2059 section 1003.5716, Florida Statutes, are amended to read:

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2060 1003.5716 Transition to postsecondary education and career
2061 opportunities.—All students with disabilities who are 3 years of
2062 age to 21 years of age have the right to a free, appropriate
2063 public education. As used in this section, the term "IEP" means
2064 individual education plan.

2065 (2) Beginning not later than the first IEP to be in effect
2066 when the student enters high school, attains the age of 14, or
2067 when determined appropriate by the parent and the IEP team,
2068 whichever occurs first, the IEP must include the following
2069 statements that must be updated annually:

2070 (a) A statement of intent to pursue a standard high school
2071 diploma and a Scholar or Merit designation, pursuant to s.
2072 1003.4285, as determined by the parent.

2073 1. The statement must document discussion of the process
2074 for a student with a disability who meets the requirements for a
2075 standard high school diploma to defer the receipt of such
2076 diploma pursuant to s. 1003.4282(8)(c) ~~s. 1003.4282(9)(e)~~.

2077 2. For the IEP in effect at the beginning of the school
2078 year the student is expected to graduate, the statement must
2079 include a signed statement by the parent, the guardian, or the
2080 student, if the student has reached the age of majority and
2081 rights have transferred to the student, that he or she
2082 understands the process for deferment and identifying if the
2083 student will defer the receipt of his or her standard high
2084 school diploma.

2085 (b) A statement of intent to receive a standard high school
2086 diploma before the student attains the age of 22 and a
2087 description of how the student will fully meet the requirements
2088 in s. 1003.4282, including, but not limited to, a portfolio

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2089 pursuant to s. 1003.4282(8)(b) ~~s. 1003.4282(9)(b)~~ which meets
 2090 the criteria specified in State Board of Education rule. The IEP
 2091 must also specify the outcomes and additional benefits expected
 2092 by the parent and the IEP team at the time of the student's
 2093 graduation.

2094 Section 20. Paragraph (c) of subsection (22) of section
 2095 1002.20, Florida Statutes, is amended to read:

2096 1002.20 K-12 student and parent rights.—Parents of public
 2097 school students must receive accurate and timely information
 2098 regarding their child's academic progress and must be informed
 2099 of ways they can help their child to succeed in school. K-12
 2100 students and their parents are afforded numerous statutory
 2101 rights including, but not limited to, the following:

2102 (22) TRANSPORTATION.—

2103 (c) *Parental consent.*—Each parent of a public school
 2104 student must be notified in writing that ~~and give written~~
 2105 ~~consent before~~ the student may be transported in a privately
 2106 owned motor vehicle to a school function, ~~in accordance with the~~
 2107 ~~provisions of s. 1006.22(2)(b).~~

2108 Section 21. Subsection (14) of section 1003.01, Florida
 2109 Statutes, is amended to read:

2110 1003.01 Definitions.—As used in this chapter, the term:

2111 (14) "Core-curricula courses" means:

2112 (a) Courses in language arts/reading, mathematics, social
 2113 studies, and science in prekindergarten through grade 3,
 2114 excluding extracurricular courses pursuant to subsection (15);

2115 (b) Courses in grades 4 through 8 in subjects that are
 2116 measured by state assessment at any grade level and courses
 2117 required for middle school promotion, excluding extracurricular

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2118 courses pursuant to subsection (15);

2119 (c) Courses in grades 9 through 12 in subjects that are
 2120 measured by state assessment at any grade level and courses that
 2121 are specifically identified by name in statute as required for
 2122 high school graduation and that are not measured by state
 2123 assessment, excluding extracurricular courses pursuant to
 2124 subsection (15);

2125 (d) Exceptional student education courses; and

2126 (e) English for Speakers of Other Languages courses.

2127

2128 The term is limited in meaning and used for the sole purpose of
 2129 designating classes that are subject to the maximum class size
 2130 requirements established in s. 1, Art. IX of the State
 2131 Constitution. This term does not include courses offered under
 2132 ss. 1002.321(3)(e) ~~1002.321(4)(e)~~, 1002.33(7)(a)2.b., 1002.37,
 2133 1002.45, and 1003.499.

2134 Section 22. Subsection (2) of section 1003.499, Florida
 2135 Statutes, is amended to read:

2136 1003.499 Florida Approved Courses and Tests (FACT)
 2137 Initiative.—

2138 (2) FLORIDA APPROVED COURSES.—The Department of Education
 2139 shall annually publish online a list of providers approved to
 2140 offer Florida approved courses which shall be listed in the
 2141 online catalog pursuant to s. 1002.321(5) ~~s. 1002.321(6)~~.

2142 (a) As used in this section, the term "Florida approved
 2143 courses" means online courses provided by individuals which
 2144 include, but are not limited to, massive open online courses or
 2145 remedial education associated with the courses that are measured
 2146 pursuant to s. 1008.22. Massive open online courses may be

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2147 authorized in the following subject areas: Algebra I, biology,
2148 geometry, and civics. Courses may be applied toward requirements
2149 for promotion or graduation in whole, in subparts, or in a
2150 combination of whole and subparts. A student may not be required
2151 to repeat subparts that are satisfactorily completed.

2152 (b) A Florida approved course must be annually identified,
2153 approved, published, and shared for consideration by interested
2154 students and school districts. The Commissioner of Education
2155 shall approve each Florida approved course for application in K-
2156 12 public schools in accordance with rules of the State Board of
2157 Education.

2158 Section 23. This act shall take effect July 1, 2023.

The Florida Senate

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202

03/16/2023

Meeting Date

Bill Number or Topic

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Committee

Amendment Barcode (if applicable)

Name **Bill Montford**

Phone **850-577-5784**

Address **208 S. Monroe St.**

Email

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

Deregulation

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf flsenate.gov](#)

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Bill Number or Topic

3.16.23

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Committee

Amendment Barcode (if applicable)

Name Yolanda Russell

Phone 407-619-3641

Address 5803 CITRUS VILLAGE BLVD #323

Email yolandarussell@earthlink.net

Street

WINTER GARDEN FL 34787

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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Amendment Barcode (if applicable)

Name Glendine Grant

Phone 850-377-4042

Address 5635 Guinevere Lane

Email grantglendine@gmail.com

Milton
City

FL
State

32583
Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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March 16th, 2023

Meeting Date

202

Bill Number or Topic

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Committee

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Amendment Barcode (if applicable)

Name Michelle Jones

Phone 832 721 7687

Address 470 Garman Rd

Email jonesmichelle783@gmail.com

Street

Cantonment

City

FL

State

32533

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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March 16 2023

Meeting Date

SB 202

Bill Number or Topic

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Committee

Amendment Barcode (if applicable)

Name Marie-Claire Leman

Phone 850-728-7514

Address 1911 Wahalaw Ct Street

Email marieclaireleman@gmail.com

Tallahassee City

FL State

32301 Zip

Speaking: [] For [x] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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258 236

Amendment Barcode (if applicable)

Name Marie-Claire Leman Phone 850-728-7514

Address 1911 WahalaW Ct Street Email marieclaireleman@gmail.com

Tallahassee FL 32301 City State Zip

Speaking: [] For [x] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

- [x] I am appearing without compensation or sponsorship. [] I am a registered lobbyist, representing: [] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf |flsenate.gov|

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STRIKE ALL

Committee

Amendment Barcode (if applicable)

Name

Jve Woltanski

Phone

305 240 1565

Address

146 Westminster

Email

Street

Jupiter FL

33070

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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CS | SB 207

3-15-23

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Amendment Barcode (if applicable)

Name Vivian Lyte-Johnson

Phone 407 595 4264

Address 1884 Ibis Bay Ct

Email V3576@att.net

Street

Ocoee

FL

State

34761

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [] In Support [x] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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Amendment Barcode (if applicable)

Name

Jamie Merchant

Phone

6143291995

Address

Street

Email

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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Committee

Amendment Barcode (if applicable)

Name Joyce Powell

Phone 515-313-5125

Address 2747 E Center St
Street

Email horseLVRtoo@gmail.com

INVERNESS FL 34453
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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Amendment Barcode (if applicable)

Name Marlene URAM

Phone 724-996-7591

Address 3419 West Birds Nest Dr
Street

Email Marlene.URAM@gmail.com

Beverly Hills
City

FL
State

34465
Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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HB1-SB202

Bill Number or Topic

Senate Appropriations
Committee

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Amendment Barcode (if applicable)

Name Catherine Fucini-Cannatella

Phone

Address 9315 SW 97th Lane, Unit D
Street

Email

Ocala
City

CT
State

34481
Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Meeting Date

HB 1 - SB 202

Bill Number or Topic

Senate Appropriations

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Amendment Barcode (if applicable)

Name Douglas K Cannatella

Phone

Address 9315 SW 97th LN

Street

Email

notch167@yahoo.com

Ocala FL

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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APPEARANCE RECORD

Apr. 16-23

Meeting Date

SB 909

Bill Number or Topic

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Amendment Barcode (if applicable)

Name JACK Pritchard

Phone 352-216-5985

Address 9875 SE 176 St
Street

Email jackdonna.p@gmail.com

Summerfield FL 34491
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) ([flsenate.gov](#))

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Amendment Barcode (if applicable)

Name Nicholas Cramer

Phone

Address 238 St. John's Cir

Email

Street

Fern Park

City

FL

State

32730

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

FEA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf flsenate.gov](https://www.flsenate.gov)

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3/16/23

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SB 202

Bill Number or Topic

Appropriations Committee of Ed...

Committee

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Amendment Barcode (if applicable)

Name

JUDY NGYING ("NIN6")

Phone

386-717-8067

Address

Street

Email

judyngying@gmail.com

Deltona

City

FL

State

32738

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

FBA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Meeting Date

SB202

Bill Number or Topic

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Committee

Amendment Barcode (if applicable)

Name Janielle Murphy

Phone 786-218-7587

Address 7035 NW 28th Ave

Street

Email janIELlem022@gmail.com

Miami FL 33147

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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Meeting Date

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Committee

Amendment Barcode (if applicable)

Name

Rosanne Wood

Phone

850-544-0952

Address

2269 Grassroots

Email

woodra@kenscheds.net

Street

Tall,

City

FL

State

32301

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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SB202

3.16.23

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Senate Appropriations

Committee

Amendment Barcode (if applicable)

Name Sharlyn Kerwin

Phone 850.322.2436

Address 3714 Loma Farm Rd.

Email Sharlyn24@comcast.net

Street

Tallahassee FL 32309

City

State

Zip

Speaking: [X] For [] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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Bill Number or Topic

258236

Amendment Barcode (if applicable)

Approps

Committee

Name Caitlyn Clibbon

Phone 850 488 9071

Address 2473 Cane Dr.
Street

Email caitlync@drflorida.org

TLH
City

FL
State

32308
Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:
Disability Rights Florida

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](https://www.flsenate.gov/2020-2022/joint-rules)

This form is part of the public record for this meeting.

3/16/22

Meeting Date

APPEARANCE RECORD

202

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Approps.

Committee

Amendment Barcode (if applicable)

Name

Jean Eckhoff

Phone

386

Address

9067 131st Loop

Email

Street

Live Oak

FL

32060

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf flsenate.gov](#)

This form is part of the public record for this meeting.

3/16/2023

Meeting Date

APPEARANCE RECORD

CS/SB202

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Hope Carrasquilla

Phone

850-688-0624

Address

1901 TY TY CT

Email

hopetreec@gmail.com

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

This form is part of the public record for this meeting.

3/16/23

Meeting Date

The Florida Senate

APPEARANCE RECORD

School Choice

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Appropriations
Committee

Amendment Barcode (if applicable)

Name

Rocky HANNA

Phone

850 508-0036

Address

4016 Kilmarlin Drive

Email

rocky@rockyhanna.com

Street

Tallahassee

Fla

32309

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) [flsenate.gov](#)

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The Florida Senate

APPEARANCE RECORD

16 March 2023

202

Meeting Date

Bill Number or Topic

Appropriations

Deliver both copies of this form to Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

SCOTT HOTTENSTEIN

Phone

757-310-9469

Address

15948 Fishhawk View Dr

Email

scott.hottenstein@gmail.com

Street

Littleton

FL

33547

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/16/23

Meeting Date

202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Stephanie Vanos

Phone 321-297-4236

Address 801 S. Mills Ave

Email stephane.vanos@gmail.com

Street

Orlando

City

FL

State

32807

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3/16/23

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

~~HB~~ Senate 202

Bill Number or Topic

Committee

Name Heather Mine

Amendment Barcode (if applicable)

Phone 703 586 8426

Address 1679 San Mateo

Email hnmhoward7@gmail.com

Street

Dunedin FL 34698

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/2023

Meeting Date

SR 202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Brian Grossberndt

Phone 407-221-1777

Address 659 Golden Sunshine Circle

Email briang@duck.com

Street

Orlando

City

FL

State

32807

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

MARCH 16th, 2024

Meeting Date

SB 202

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

APPROPRIATIONS COMMITTEE

Committee

Amendment Barcode (if applicable)

Name ROBERT L. SMITH, Jr.

Phone (407) 820-1128

Address 4720 SW ZENO PLACE

Email politics@velosright.com

City Ocala, State FLORIDA Zip 34474

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

The Florida Senate

APPEARANCE RECORD

3.16.2023

Meeting Date

SB 202

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name Deborah Gabriel

Phone 904 788 2566

Address 411 Walnut St P M B 9154

Email medpsych1@gmail.com

Green Cove Springs FL 32043

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[x] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

3-16-23

Meeting Date

The Florida Senate APPEARANCE RECORD

SB 202

Bill Number or Topic

SB 202

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name GRUGG JONES

Phone 4807100935

Address 14636 PONTA RD
Street

Email Shephard56nlp@gmail.com

WINTER GARDEN FL 34787
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](https://www.flsenate.gov/2020-2022/JointRules.pdf)

This form is part of the public record for this meeting.

110
508

The Florida Senate

3-16-23

APPEARANCE RECORD

202

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Appropriations
Committee

Amendment Barcode (if applicable)

Name

Barbara DeVane

Phone

850-251-4280

Address

625 E. Brevard St

Email

barbaradevane1@
yahoo.com

Street

Tallahassee

City

FL 32308

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

FL NOW

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/16/23

Meeting Date

202

Bill Number or Topic

Approps.

Committee

Amendment Barcode (if applicable)

Name

Alexis Laroe

Phone

802-363-1011

Address

Email

alaroe@sufs.org

Street

Tallahassee

FL

32311

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Step Up for Students

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) [flsenate.gov](#)

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S-001 (08/10/2021)

APPEARANCE RECORD

3/16/23

Meeting Date

202

Bill Number or Topic

Appropriations

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Michael Barrett

Phone (850) 222-3803

Address 201 W. Park Ave.
Street

Email mbarrett@flack.org

Tallahassee
City

FL
State

32312
Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:
Florida Conference of Catholic Bishops

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

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The Florida Senate
APPEARANCE RECORD

3/16/23
Meeting Date

202
Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Approps
Committee

Amendment Barcode (if applicable)

Name David Struhs

(Pronounced
Stroose)

Phone 850 766 6651

Address 215 S Monroe
Street

Email david@afloridapromise.org

Tallahassee
City

FL
State

32301
Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Foundation for Florida's Future

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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APPEARANCE RECORD

202

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name DAVID STEINBERG Phone _____

Address 2048 Belle Grove Trace Email mochaman158@yahoo.com

Street
Fleming Island FL 32003
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) (flsenate.gov)

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APPEARANCE RECORD

SB 203

3/15/23

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Tony Plowden

Phone

Address

Email

Street

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf flsenate.gov](#)

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The Florida Senate

APPEARANCE RECORD

SB 202

Mar 16, 2023

Meeting Date

Deliver both copies of this form to Senate professional staff conducting the meeting

Bill Number or Topic

Appropriation

Committee

Amendment Barcode (if applicable)

Name Judian Guimbellat

Phone 407-607-6497

Address 9633 LK Hugh Dr,

Email impeccablejg@gmail.com

Street

Gotha

City

FL

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[x] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/16/23

Meeting Date

SB202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name

Judey Kratz

Phone

(904) 676-1903

Address

1115 Edgewood Ave. S. #529

Email

Shotgunmun@gmail.com

Street

Jay

City

Fla

State

32205

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/16/23 Meeting Date

202 Bill Number or Topic

Appropriations Committee

Amendment Barcode (if applicable)

Name Anaruth Solache

Phone 305-528-8495

Address 7385 fairway drive Street

Email Anaruths@catalystmiami.org

Miami Lakes FL 33014 City State Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [] In Support [X] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/16/23 Meeting Date

SB 202 Bill Number or Topic

Senate Appropriations Committee

Amendment Barcode (if applicable)

Name Ethan Merchant

Phone 850-699-0470

Address 113 E. College Ave Street

Email ethan@libertypartnersfl.com

Tallahassee FL 32301 City State Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [X] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[X] I am a registered lobbyist, representing: National Coalition for Public School Options, Florida Chapter

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

Meeting Date March 16, 2023

Bill Number or Topic 202

Committee Appropriations

Amendment Barcode (if applicable)

Name Tiffany Barfield

Phone 941-724-1307

Address 1320 N. Carthage

Email tbarfield@yeseverykid.com

Street Arlington State VA Zip 22201

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing: yes, every kid.

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3-16

Meeting Date

SB 202

Bill Number or Topic

Approps

Committee

Amendment Barcode (if applicable)

Name DENISE LASHER

Phone 813.240.4567

Address 17513 Mallard Street

Email Lashernc@gmail.com

City Lutz FL State Zip 33559

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[x] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

American Federation for Children

While it is a tradition to encourage public testimony, time may not permit all persons wishing to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf flsenate.gov

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/16/23
Meeting Date

SB 202
Bill Number or Topic

Appropriations
Committee

Amendment Barcode (if applicable)

Name Jean Federico

Phone _____

Address _____

Email _____

Street

Sebring FL 33872
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) ([iflsenate.gov](#))

This form is part of the public record for this meeting.

S-001 (08/10/2021)

3/16/23

Meeting Date

APPEARANCE RECORD

SB 202

Bill Number or Topic

Appropriations

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Carol Cleaver

Phone

Address 2300 Magnolia Ave

Email

Street

Pensacola FL 32503

City

State

Zip

Speaking: [] For [x] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[x] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

FEA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules. pdf flsenate.gov

This form is part of the public record for this meeting.

8/16/23

The Florida Senate
APPEARANCE RECORD

SB 202

Meeting Date

Bill Number or Topic

Appropriations
Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Kimberly Garman

Phone 850-324-5969

Address Po Box 698
Street

Email Kag284@gmail.com

Cantonment
City

FL
State

32533
Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: FEA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules. df.flsenate.gov

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S-001 (08/10/2021)

3/16/23

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 202

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Appropriations

Committee

Amendment Barcode (if applicable)

Name

Lateresa Jones ^{com}

Phone

352 342 3852

Address

P.O. Box 6003

Email

ljonesusa@gmail.com

Street

Ocala

FL

34479

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3-16-2023

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SB 202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Cathy Boehme

Phone 850-224-2078

Address 213 S. Adams St.

Email Cathy.boehme@floridasee.org

Street

Tallahassee, FL

32301

City

State

Zip

Speaking: [] For [X] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[X] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Florida Education Association

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

March 16, 2023

APPEARANCE RECORD

202

Meeting Date

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Appropriations

Committee

Amendment Barcode (if applicable)

Name

RICK STEVENS

Phone

239.849.3775

Address

2127 NE 2ND PL

Email

rick@goflca.org

Street

Cape Coral FL 33909

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

3/16/23

Meeting Date

appropriations

~~K-12 education~~

Committee

202

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Samuel Reddick

Phone

Address

3287 Harry St.

Email

Street

Apopka

City

FL

State

32712

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

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The Florida Senate

APPEARANCE RECORD

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3-16-23

Meeting Date

HB1-SB202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name

CARL S. VOLLMER

Phone

646-261-6080

Address

7684 SW 128th Dr

Street

Email

CARLSVOLLMER@GMAIL.COM

City

OCALA

State

FL

Zip

34473

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.



I am a registered lobbyist, representing:



I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/legistics/2020/2020-2022-Joint-Rules.pdf)

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3.16.23

Meeting Date

The Florida Senate APPEARANCE RECORD

SB 202

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EO APPROPR

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

WILLIAM MATTOX

Phone

850-386-3131

Address

100 N. DUVAL ST

Email

bmattox@jamesmadison.
sty

Street

TLH

City

FL

State

~~322~~ 32301

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

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SB 202

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Deliver both copies of this form to
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Appropriations

Committee

Amendment Barcode (if applicable)

Name

Adianis Morales

Phone

407 417 3744

Address

2424 Laurel Blossom Circle

Email

adianis67@icloud.com

Street

Ocoee

City

FL

State

34761

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/legistics/2020/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

3/16/23

Meeting Date

The Florida Senate APPEARANCE RECORD

202

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Approps.

Committee

Amendment Barcode (if applicable)

Name

Rebecca Joseph

Phone

802-363-1011

Address

Street

Email

alaroe@sufs.org

Tallahassee

City

FL

State

32303

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Step Up for Students

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) ([flsenate.gov](#))

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S-001 (08/10/2021)

APPEARANCE RECORD

3/16/23

Meeting Date

202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name

Scott Mazer

Phone

Address

Email

Street

Tallahassee

City

FL

State

32312

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

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The Florida Senate

APPEARANCE RECORD

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3/16/23

Meeting Date

SB 202

Bill Number or Topic

Approps.

Committee

Amendment Barcode (if applicable)

Name Lance Ball

Phone 802-363-1011

Address

Email alaroe@sufs.org

Street

Tallahassee

FL

32303

City

State

Zip

Speaking: [X] For [] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[X] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Step Up for Students

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf flsenate.gov

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S-001 (08/10/2021)

The Florida Senate

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3/16/23

Meeting Date

202

Bill Number or Topic

APPROPRIATIONS

Committee

Amendment Barcode (if applicable)

Name DAVID NORONA

Phone

Address

Email

Street

City

State

Zip

Speaking: [] For [x] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[x] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: FFA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf flsenate.gov

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3 16 23

Meeting Date

Appr.

Committee

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
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SB 202

Bill Number or Topic

Amendment Barcode (if applicable)

Name

FLORIDA POLICY INST. ^{Holby}
Bullard

Phone

Address

1601 N Orange Ave

Email

bullard@
florida-policy.
org

Street

ORL

FL

32801

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf flsenate.gov](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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3.16.23

Meeting Date

SB 202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Skylar Zander

Phone 850.728.4522

Address 107 E College Ave.

Email szander@afphq.org

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Americans for Prosperity

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3-16-23

Meeting Date

Senate Appropriations Comm.

Committee

SB202

Bill Number or Topic

Amendment Barcode (if applicable)

Name Sheila Brannon

Phone 330-475-4429

Address 9771 SW 97th Lane

Email sbrannon04@gmail.com

Ocala FL 34481

City State Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[x] AEP I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.); sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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The Florida Senate

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Meeting Date

SB 202

Bill Number or Topic

Senate Appropriations committee

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Cheryl Chapleau

Phone 352-207-7809

Address 10601 SW 112th ave

Email

Street

Ocala FL 34481

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: AFP

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3/16/23

The Florida Senate APPEARANCE RECORD

SB 202

Meeting Date

Bill Number or Topic

Senate Appropriations

Committee

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Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Lenise Joseph

Phone 239 272 2180

Address 148 Sevefield Cir
Street

Email lenise.joseph@gmail.com

Winter Park FL
City State

32792
Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

AFP

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

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3/16/2023

Meeting Date

SB 202

Bill Number or Topic

Senate Appropriations

Committee

Amendment Barcode (if applicable)

Name Mariana Reyes

Phone 407-636-0120

Address 148 Sedgefield Cir

Street

Email marianafreyes1990@gmail.com

Winter Park

City

FL

State

32792

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: AFP

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/legistics/2022/joint-rules)

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The Florida Senate

APPEARANCE RECORD

3-16-2023

Meeting Date

SB 202

Bill Number or Topic

SENATE APPROPRIATIONS

Committee

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Amendment Barcode (if applicable)

Name DEANNA L. ORTNER

Phone 407 629 4592

Address 700 LIVE OAK ST

Email dlorturner@embargo@mail.com

Street

MAITLAND FL 32751

City

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[x] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: AFP

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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5-001 (08/10/2021)

March 16 2023

Meeting Date

The Florida Senate APPEARANCE RECORD

JP 202

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Appropriations

Committee

Amendment Barcode (if applicable)

Name Rebecca Kelly

Phone 407-324-6055

Address 138 Clear Lake Circle
Street

Email beckyannkelly@gmail.com

Sanford, FL 32773
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) (flsenate.gov)

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APPEARANCE RECORD

3-16-23

Meeting Date

SB202

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Kimberly Coobyer

Phone

517-240-0110

Address

3180 Beck Blvd. E57

Email

kingolf07@gmail.com

Street

Naples

City

FL

State

34114

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules](https://www.flsenate.gov/legistics/2022/joint-rules). pdf [flsenate.gov](https://www.flsenate.gov)

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Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 202

Bill Number or Topic

Appropriations

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Raisa Sequeira

Phone _____

Address 748 River GRASS Ln

Street

Email Rsequeira@unidosus.org

Winter Garden FL 34787

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

UnidosUS

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules](https://www.flsenate.gov/legistics/2020/2020-2022-Joint-Rules). [df flsenate.gov](https://www.flsenate.gov)

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3/16/23

Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 202

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Appropriations
Committee

Amendment Barcode (if applicable)

Name Melinda Stanwood Phone 850-727-1275

Address 4721 Flowerwood Drive Email Frenchy Frye@
Street hotmail.com
Tallahassee, FL 32303
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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APPEARANCE RECORD

SR 202

3/16/23

Meeting Date

Bill Number or Topic

Appropriations

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Thomas Stuart-Tilley

Phone

Address 4721 Flowerwood Drive

Email

Street

Tallahassee, FL 32303

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules](https://www.flsenate.gov/legistics/2020/2020-2022-Joint-Rules). [df.flsenate.gov](https://www.flsenate.gov)

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APPEARANCE RECORD

3/16/2023

Meeting Date

HB 202

Bill Number or Topic

Appropriations

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Lina Cerfain

Phone

352-214-8387

Address

Street

Email

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) [flsenate.gov](#)

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1105

The Florida Senate

APPEARANCE RECORD

Meeting Date March 16, 2023

Bill Number or Topic SB 202

Deliver both copies of this form to Senate professional staff conducting the meeting

Committee Appropriations

Amendment Barcode (if applicable)

Name Mary Rivera Phone (302)

Address Fort McCoy, FL 32134 Email

Street Fort McCoy, FL City Fort McCoy State FL Zip 32134

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

APPEARANCE RECORD

3/16/2023

Meeting Date

202

Bill Number or Topic

Appropriation

Committee

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Amendment Barcode (if applicable)

Name Brian Dempsey

Phone

Address 3360 SE 62nd Stv

Email

Ocala

City

FL

State

34480

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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APPEARANCE RECORD

3/16/2023

Meeting Date

SB202

Bill Number or Topic

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Appropriation

Committee

Amendment Barcode (if applicable)

Name Karema Dudley

Phone (850) 759-6982

Address 1001 Lincoln St.

Email KaremaDudley@gmail.com

Street

Quincy

City

FL

State

32351

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

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SB202

Bill Number or Topic

3/16/23

Meeting Date

appropriations

Committee

Amendment Barcode (if applicable)

Name **LUISA SANTOS**

Phone

Address

Street

Email

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

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3/16/23

Meeting Date

202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name LINDA EDSON

Phone 850-510-2729

Address 1841 Myrick Rd

Email edsonl@netally.com

Tallahassee FL 32303

City

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [] In Support [X] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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APPEARANCE RECORD

~~SB~~ 202

3/16/23

Meeting Date

Bill Number or Topic

Deliver both copies of this form to
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Appropriation

Committee

Amendment Barcode (if applicable)

Name

Cathy Johnson

Phone

850 509-2847

Address

517 Country Lane

Email

Cathyj519@gmail.com

Street

City

Hawthorn FL

State

Zip

32333

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

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3-16-2023

Meeting Date

SB 202

Bill Number or Topic

Appropriation

Committee

Amendment Barcode (if applicable)

Name Saul Speights

Phone 386-365-0482

Address P.O. Box 649

Street

Email dspeights@windstream.net

Jasper

City

FL

State

32052

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

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3/16/23

Meeting Date

SB 202

Bill Number or Topic

Appropriations

1105

Committee

Amendment Barcode (if applicable)

Name Yenibel Viloria

Phone 786-419-6049

Address PO Box 260230

Email Yenibel@Stateinnovation.org

Street

Madison

City

WI

State

53726

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

State Innovation Exchange Action

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov)

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The Florida Senate

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3.16.23

Meeting Date

SB 202

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Cara Wynn

Phone

850.509.1243

Address

11255 Buck Lake Road

Email

cara.wynn13@gmail.com

Street

Tall.

City

FL

State

32317

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.



I am a registered lobbyist, representing:



I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

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3/16/23

Meeting Date

SB 202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Hannah Pitts

Phone 727-560-8358

Address 7820 Skipper Lane

Street

Email hneik85@gmail.com

Tallahassee FL

City

State

32317

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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3/16/2023

Meeting Date

The Florida Senate APPEARANCE RECORD

SB 202/H&A

Bill Number or Topic

Deliver both copies of this form to
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Committee

Amendment Barcode (if applicable)

Name

Dennis Barton

Phone

8133611271

Address

20 Windrose Drive

Email

dennisb@essentialratings.com

Street

Orlando FL

32824

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3/16/23

Meeting Date

The Florida Senate APPEARANCE RECORD

202

Bill Number or Topic

Appropriations

Deliver both copies of this form to
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Committee

Amendment Barcode (if applicable)

Name Joe Wolanski

Phone 305 248 1565

Address 146 Westminster

Email _____

Street

Tallahassee FL 323070

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) ([flsenate.gov](#))

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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16 March 2023

Meeting Date

202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Chris Stranburg

Phone 813-767-7667

Address 107 E College Ave

Email cstranburg@afphg.org

Street

Tallahassee FL

32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:
Americans for Prosperity

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

03/16/2023

Meeting Date

SB202

Bill Number or Topic

SENATE APPROPRIATION

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name CS BENNETT

Phone 352-972-3300

Address 407 E. WASHINGTON ST

Email

Street

INTERLACHEN

FL

32148

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

AFP I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

3-16-23

Meeting Date

202

Bill Number or Topic

Appropriation

Committee

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Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Daphne Brunson

Phone 904-535-7435

Address 1149 Becknee Ave
Street

Email daphne1@bellsouth.net

Jacksonville FL 32218
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

APPEARANCE RECORD

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3/16/2023 Meeting Date

202 Bill Number or Topic

Appropriations Committee

Amendment Barcode (if applicable)

Name Sarah Kathenne Massey

Phone 850 545 0543

Address 136 S. Bronough Street

Email smassey@flchamber.com

Tallahassee FL 32301 City State Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[x] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

The Florida Chamber of Commerce

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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The Florida Senate

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3/16/2023

Meeting Date

SB 202

Bill Number or Topic

Appropriations

Committee

Amendment Barcode (if applicable)

Name Debbie Mortham

Phone 850.251.2278

Address 6548 Weeping Willow Way

Street

Email debbiepmorham@gmail.com

Tallahassee FL 32311

City

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [X] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[] I am appearing without compensation or sponsorship.

[X] I am a registered lobbyist, representing:

The Optima Foundation

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 242

INTRODUCER: Governmental Oversight and Accountability Committee and Senator Garcia

SUBJECT: Fiscal Accountability

DATE: March 15, 2023 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Limones-Borja</u>	<u>McVaney</u>	<u>GO</u>	<u>Fav/CS</u>
2.	<u>Sanders, Shettle</u>	<u>Sadberry</u>	<u>AP</u>	<u>Favorable</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 242 requires any nonprofit organization that receives state funds through a contract with the State of Florida (state), on or after July 1, 2023, to post documents that indicate the amount of state funds it used for the remuneration of its board of directors or officers to the contract tracking system.

The bill requires state entities that execute, amend, or extend a contract with a nonprofit organization on or after July 1, 2023, to include in the contract a requirement that the contractor nonprofit provide documentation indicating its use of state funds for remuneration on a per-contract and per-allocation basis. The required documentation must specify the amounts and recipients of the remuneration. The bill also requires a state entity to post this documentation to the Florida Accountability Contract Tracking System, and the nonprofit organizations to post this documentation to its website, if it maintains one.

The impact on state government expenditures is indeterminate, but most likely insignificant. The Department of Financial Services will likely incur costs modifying the contract management system to include the information required by the bill.

The bill takes effect July 1, 2023.

II. Present Situation:

Transparency Florida Act

Section 215.985, F.S., is referred to as the Transparency Florida Act (the Act). The Act mandates the Executive Office of the Governor, in consultation with the appropriations committees of the Senate and the House of Representatives, to establish and maintain a single website that provides access to all other websites required under s. 215.985, F.S. The single website, and other websites must:

- Be constructed for usability and provide an intuitive user experience;
- Provide a consistent visual design, interaction or navigation design and information or data presentation;
- Be deployed in compliance with the Americans with Disabilities Act; and
- Be compatible with all major web browsers.

The outcome of this requirement has been the single webpage known as “Transparency Florida,”¹ an initiative to ensure accountability in how the state spends its money. The Transparency Florida website allows Florida citizens to view state budgets, payments, and contracts in order to hold state government accountable. The website provides links to:

- Florida Accountability Contract Tracking System (FACTS);
- Local Government Financial Reporting;
- State Payments;
- State Financial Reports;
- State Employee Data;
- State Contract Audits;
- State Economic Incentives Program; and
- State Financial Reports.

Florida Accountability Contract Tracking System

The Chief Financial Officer (CFO) is required to establish and maintain a secure contract tracking system available for viewing and downloading by the public through a secure website.² The Department of Financial Services (DFS) maintains and updates the contract tracking system. The tracking system contains contracts, grant awards, and amendments to contracts.

Within 30 days after executing a contract, each state entity is required to post the following information relating to the contract on the contract tracking system:

- The names of the contracting entities;
- The procurement method;
- The contract beginning and ending dates;
- The nature or type of commodities or services purchased;
- Applicable contract unit prices and deliverables;
- Total compensation to be paid or received under the contract;

¹ Department of Financial Services, *Transparency Florida*, available at <https://www.myfloridacfo.com/Transparency/> (last visited Mar. 9, 2023).

² Section 215.985(14), F.S.

- All payments made to the contractor to date;
- Applicable contract performance measures;
- If a competitive solicitation was not used to procure the goods and services, the justification of the action, including citation to a statutory exemption from competitive solicitation if any; and
- Electronic copies of the contract and procurement documents that have been redacted to exclude confidential information or exempt information.³

The state entity that is a party to the contract must update the information on the contract tracking system within 30 calendar days after an amendment to an existing contract.⁴

Records made available on the contract tracking system may not reveal information made confidential or exempt by law. Each state entity that is a party to a contract must redact confidential and exempt information from the contract and procurement documents before posting an electronic copy on the contract tracking system.⁵ A request to redact confidential and exempt information must be made in writing and delivered by mail, facsimile, electronic transmission, or in person to the state entity. The CFO and the DFS, or an employee thereof, is not responsible for redacting confidential or exempt information contained on the system or the failure of a state entity to redact the confidential or exempt information. The CFO may regulate and prohibit the posting of records that could facilitate identity theft or fraud. Such action by the CFO does not supersede the duty of a public entity to provide a copy of a public record upon request.⁶

Contract Terms

Each public agency contract for services entered into or amended on or after July 1, 2020, must authorize the public agency to inspect the:

- Financial records, papers, and documents of the contractor that are directly related to the performance of the contract or the expenditure of state funds.
- Programmatic records, papers, and documents of the contractor that the public agency determines are necessary to monitor the performance of the contract or to ensure that the terms of the contract are being met.⁷

The contract shall require the contractor to provide the records, papers, and documents requested by the public agency within 10 business days after the request is made.⁸

III. Effect of Proposed Changes:

Section 1 amends s. 215.985, F.S., to require state entities to post to the Florida Accountability Contract Tracking System (FACT system) any documentation it receives pursuant to s. 216.1366, F.S., which evinces a contractor nonprofit organization's use of state funds for

³ Section 215.985(14)(a), F.S.

⁴ *Id.*

⁵ Section 215.985(14)(d), F.S.

⁶ Section 215.985(14)(f), F.S.

⁷ Section 216.1366(1), F.S.

⁸ Section 216.1366(2), F.S.

remuneration of its board of directors or officers. This requirement applies only to contracts with nonprofit organizations that are executed, amended, or extended on or after July 1, 2023, and pursuant to which the state entity makes a payment of state funds.

Section 2 amends s. 216.1366, F.S., to require any contract for services executed, amended, or extended on or after July 1, 2023, with a nonprofit organization as defined in s. 215.97(2)(m), F.S., to include the amount of state funds:

- Allocated to be used during the full term of the contract for remuneration to any member of the board of directors or an officer of the contractor.
- Allocated under each payment by the public agency to be used for remuneration of any member of the board of directors or an officer of the contractor. The documentation must indicate the amounts and recipients of the remuneration.

Section 2 further requires that such information be included in the FACT system maintained pursuant to s. 215.985, F.S., and be posted on the nonprofit's website, if it maintains one.

Section 2 defines the following terms:

- "Officer" to mean a chief executive officer, chief financial officer, chief operating officer, or any other position performing an equivalent function.
- "Remuneration" to mean all compensation earned by or awarded to personnel, whether paid or accrued, regardless of contingency, including bonuses, accrued paid time off, severance payments, incentive payments, contributions to a retirement plan, or in-kind payments, reimbursements, or allowances for moving expenses, vehicles and other transportation, telephone services, medical services, housing, and meals.
- "State funds" to mean funds paid from the General Revenue Fund or any state trust fund, funds allocated by the Federal Government and distributed by the state, or funds appropriated by the state for distribution through any grant program. The term does not include funds used for the state Medicaid program.

Section 3 provides the bill takes effect July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

To implement Section 2 of the bill, a nonprofit organization may incur costs associated with making changes necessary to post the required information on its website.

C. Government Sector Impact:

To implement Section 2 of the bill, the Department of Financial Services may incur costs in modifying its website to include the information required by the act.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 215.985 and 216.1366.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Governmental Oversight and Accountability on March 7, 2023:

The committee substitute requires the state entity to post any documents submitted that indicate the use of state funds as remuneration to the contract tracking system. The term “state contracting system” in the original bill is corrected to read “state contract tracking system.” The committee substitute also makes conforming changes in the title.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Governmental Oversight and Accountability;
and Senator Garcia

585-02358-23

2023242c1

1 A bill to be entitled
2 An act relating to fiscal accountability; amending s.
3 215.985, F.S.; requiring state entities to post any
4 documents submitted on the contract tracking system
5 which indicate the use of state funds as remuneration
6 under certain contracts, beginning on a specified
7 date; deleting a provision requiring state entities to
8 publish payments on the contract tracking system;
9 amending s. 216.1366, F.S.; requiring that contracts
10 for services executed, amended, or extended beginning
11 on a specified date require contractors to provide
12 specified documentation to be included in the contract
13 tracking system and posted to the contractor's
14 website, if applicable; defining terms; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Paragraph (c) of subsection (14) of section
20 215.985, Florida Statutes, is amended to read:

21 215.985 Transparency in government spending.—

22 (14) The Chief Financial Officer shall establish and
23 maintain a secure contract tracking system available for viewing
24 and downloading by the public through a secure website. The
25 Chief Financial Officer shall use appropriate Internet security
26 measures to ensure that no person has the ability to alter or
27 modify records available on the website.

28 (c) For each contract for which a state entity makes a
29 payment pursuant to a contract executed, amended, or extended on

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 or after July 1, 2023, the state entity shall post any documents
31 submitted pursuant to s. 216.1366 which indicate the use of
32 state funds as remuneration under the contract or a specified
33 payment associated with the contract on the contract tracking
34 system ~~By January 1, 2014, each state entity shall post to the~~
35 ~~contract tracking system the information required in paragraph~~
36 ~~(a) for each existing contract that was executed before July 1,~~
37 ~~2013, with payment from state funds made after June 30, 2013.~~

38 Section 2. Subsection (3) is added to section 216.1366,
39 Florida Statutes, to read:

40 216.1366 Contract terms.—

41 (3) (a) For any contract for services executed, amended, or
42 extended on or after July 1, 2023, with a nonprofit organization
43 as defined in s. 215.97(2) (m), the contract must require the
44 contractor to provide documentation that indicates the amount of
45 state funds:

46 1. Allocated to be used during the full term of the
47 contract for remuneration to any member of the board of
48 directors or an officer of the contractor.

49 2. Allocated under each payment by the public agency to be
50 used for remuneration of any member of the board of directors or
51 an officer of the contractor. The documentation must indicate
52 the amounts and recipients of the remuneration.

53
54 Such information must be included in the contract tracking
55 system maintained pursuant to s. 215.985 and must be posted on
56 the contractor's website, if the contractor maintains a website.

57 (b) As used in this subsection, the term:

58 1. "Officer" means a chief executive officer, chief

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59 financial officer, chief operating officer, or any other
60 position performing an equivalent function.

61 2. "Remuneration" means all compensation earned by or
62 awarded to personnel, whether paid or accrued, regardless of
63 contingency, including bonuses, accrued paid time off, severance
64 payments, incentive payments, contributions to a retirement
65 plan, or in-kind payments, reimbursements, or allowances for
66 moving expenses, vehicles and other transportation, telephone
67 services, medical services, housing, and meals.

68 3. "State funds" means funds paid from the General Revenue
69 Fund or any state trust fund, funds allocated by the Federal
70 Government and distributed by the state, or funds appropriated
71 by the state for distribution through any grant program. The
72 term does not include funds used for the state Medicaid program.

73 Section 3. This act shall take effect July 1, 2023.



The Florida Senate

Committee Agenda Request

To: Senator Doug Broxson, Chair
Committee on Appropriations

Subject: Committee Agenda Request

Date: March 8, 2023

I respectfully request that **Senate Bill #242**, relating to Fiscal Accountability, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink, appearing to read "Ileana Garcia".

Senator Ileana Garcia
Florida Senate, District 36

3/16/2023

Meeting Date

The Florida Senate APPEARANCE RECORD

242

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Appropriations

Committee

Amendment Barcode (if applicable)

Name Greg Black

Phone 850 509 8022

Address Po Box 838

Street

Email greg@waypointstrat.com

Tallahassee

City

FL

State

32302

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Florida Nonprofit Alliance

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

CourtSmart Tag Report

Room: SB 110
Caption: Senate Appropriations Committee

Case No.:

Type:
Judge:

Started: 3/16/2023 8:31:22 AM

Ends: 3/16/2023 11:18:15 AM

Length: 02:46:54

8:31:27 AM	Sen. Broxson (Chair)
8:32:38 AM	S 202
8:32:45 AM	Sen. Simon
8:33:09 AM	Am. 258236
8:35:44 AM	Sen. Davis
8:36:13 AM	Sen. Simon
8:36:25 AM	Sen. Davis
8:36:43 AM	Sen. Simon
8:36:45 AM	Sen. Davis
8:37:17 AM	Sen. Simon
8:37:51 AM	Sen. Davis
8:38:18 AM	Sen. Simon
8:38:37 AM	Sen. Davis
8:38:42 AM	Sen. Simon
8:38:45 AM	Sen. Davis
8:38:49 AM	Sen. Simon
8:38:55 AM	Sen. Davis
8:39:27 AM	Sen. Simon
8:39:52 AM	Sen. Davis
8:40:23 AM	Sen. Simon
8:40:59 AM	Sen. Davis
8:41:15 AM	Sen. Simon
8:41:31 AM	Sen. Davis
8:41:45 AM	Sen. Simon
8:42:07 AM	Sen. Polsky
8:42:43 AM	Sen. Simon
8:43:01 AM	Sen. Polsky
8:43:06 AM	Sen. Simon
8:43:11 AM	Sen. Polsky
8:43:26 AM	Sen. Simon
8:44:26 AM	Sen. Polsky
8:44:36 AM	Sen. Simon
8:44:48 AM	Sen. Polsky
8:44:51 AM	Sen. Simon
8:45:26 AM	Sen. Polsky
8:45:29 AM	Sen. Simon
8:46:11 AM	Sen. Polsky
8:46:28 AM	Sen. Simon
8:46:40 AM	Sen. Polsky
8:47:01 AM	Sen. Simon
8:47:19 AM	Sen. Polsky
8:47:36 AM	Sen. Simon
8:48:04 AM	Sen. Polsky
8:48:28 AM	Sen. Simon
8:49:04 AM	Sen. Polsky
8:49:19 AM	Sen. Simon
8:49:50 AM	Sen. Polsky
8:50:20 AM	Sen. Simon
8:50:23 AM	Sen. Powell
8:50:58 AM	Sen. Simon
8:51:08 AM	Sen. Powell
8:51:26 AM	Sen. Simon

8:51:31 AM	Sen. Powell
8:51:37 AM	Sen. Simon
8:51:46 AM	Sen. Broxson
8:51:55 AM	Sen. Powell
8:52:23 AM	Sen. Broxson
8:52:28 AM	Sen. Powell
8:52:40 AM	Sen. Simon
8:52:47 AM	Sen. Powell
8:53:52 AM	Sen. Simon
8:54:10 AM	Sen. Powell
8:54:36 AM	Sen. Simon
8:54:45 AM	Sen. Powell
8:55:13 AM	Sen. Simon
8:55:18 AM	Sen. Powell
8:56:19 AM	Sen. Simon
8:57:01 AM	Sen. Book
8:57:53 AM	Sen. Simon
8:58:34 AM	Sen. Book
8:59:30 AM	Sen. Simon
9:00:32 AM	Sen. Book
9:01:39 AM	Sen. Simon
9:01:54 AM	Sen. Pizzo
9:02:38 AM	Sen. Simon
9:03:35 AM	Sen. Pizzo
9:04:10 AM	Sen. Simon
9:05:34 AM	Sen. Pizzo
9:06:48 AM	Sen. Simon
9:07:58 AM	Sen. Pizzo
9:10:22 AM	Sen. Simon
9:12:09 AM	Sen. Broxson
9:12:20 AM	Sen. Polsky
9:12:50 AM	Sen. Simon
9:13:34 AM	Sen. Polsky
9:13:58 AM	Sen. Simon
9:14:03 AM	Sen. Polsky
9:14:09 AM	Sen. Simon
9:14:37 AM	Sen. Polsky
9:14:54 AM	Sen. Simon
9:15:14 AM	Sen. Polsky
9:15:24 AM	Sen. Simon
9:16:57 AM	Sen. Polsky
9:17:05 AM	Sen. Simon
9:17:31 AM	Sen. Davis
9:17:56 AM	Sen. Simon
9:18:15 AM	Sen. Broxson
9:18:38 AM	Sen. Simon
9:19:10 AM	Sen. Davis
9:19:22 AM	Sen. Simon
9:19:45 AM	Sen. Davis
9:20:02 AM	Sen. Simon
9:20:16 AM	Sen. Davis
9:20:48 AM	Sen. Simon
9:21:21 AM	Sen. Davis
9:21:34 AM	Sen. Simon
9:21:51 AM	Sen. Davis
9:22:00 AM	Sen. Simon
9:22:08 AM	Sen. Davis
9:22:27 AM	Sen. Simon
9:22:40 AM	Sen. Davis
9:23:00 AM	Sen. Simon
9:23:03 AM	Sen. Davis
9:23:10 AM	Sen. Simon

9:23:13 AM	Sen. Davis
9:23:13 AM	Sen. Simon
9:23:22 AM	Sen. Davis
9:23:43 AM	Sen. Simon
9:24:00 AM	Sen. Davis
9:25:53 AM	Sen. Broxson
9:26:37 AM	Sen. Davis
9:26:42 AM	Sen. Simon
9:27:16 AM	Sen. Davis
9:27:31 AM	Sen. Simon
9:28:41 AM	Sen. Davis
9:28:51 AM	Sen. Book
9:30:32 AM	Sen. Broxson
9:30:35 AM	Sen. Pizzo
9:30:57 AM	Sen. Simon
9:31:06 AM	Sen. Pizzo
9:31:18 AM	Sen. Simon
9:31:22 AM	Sen. Pizzo
9:31:31 AM	Sen. Rouson
9:32:36 AM	Sen. Simon
9:32:55 AM	Sen. Rouson
9:33:37 AM	Sen. Simon
9:33:47 AM	Sen. Powell
9:34:01 AM	Sen. Simon
9:34:09 AM	Sen. Powell
9:34:13 AM	Sen. Simon
9:34:32 AM	Sen. Powell
9:34:40 AM	Sen. Simon
9:34:51 AM	Sen. Powell
9:35:06 AM	Sen. Simon
9:35:48 AM	Sen. Powell
9:36:15 AM	Sen. Simon
9:36:59 AM	Sen. Powell
9:37:21 AM	Sen. Simon
9:37:54 AM	Sen. Powell
9:38:22 AM	Sen. Simon
9:38:52 AM	Sen. Broxson
9:39:18 AM	Bill Montford
9:43:58 AM	Sen. Broxson
9:44:19 AM	Sen. Rouson
9:45:03 AM	Yolanda Russell (waives in opposition)
9:45:07 AM	Glendine Grant (waives in opposition)
9:45:11 AM	Michelle Jones (waives in opposition)
9:45:18 AM	Marie Claire Leman
9:47:09 AM	Sue Woltanski
9:48:53 AM	Vivian Lyte-Johnson (waives in opposition)
9:48:56 AM	Jamie Merchant (waives in support)
9:49:01 AM	Joyce Powdell (waives in support)
9:49:07 AM	Marlene Uram (waives in support)
9:49:13 AM	Catherine Fucini-Cannatella (waives in support)
9:49:23 AM	Douglas K Cannatella (waives in support)
9:49:28 AM	Jack Pritchard (waives in support)
9:49:32 AM	Nicholas Cromer
9:50:36 AM	Judy Moying
9:51:46 AM	Janielle Murphy
9:52:47 AM	Rosanne Wood
9:53:45 AM	Sharyn Kerwin
9:54:55 AM	Caitlyn Clibbon
9:56:27 AM	Jean Eckhoff
9:57:22 AM	Hope Carrasquilla
9:58:25 AM	Sen. Pizzo
9:58:28 AM	H. Carrasquilla

9:58:33 AM Sen. Pizzo
9:58:47 AM H. Carrasquilla
9:59:12 AM Sen. Pizzo
9:59:22 AM H. Carrasquilla
9:59:38 AM Rocky Hanna
10:00:48 AM Sen. Polsky
10:01:08 AM R. Hanna
10:02:49 AM Scott Hottenstein
10:03:47 AM Stephanie Vanos
10:04:54 AM Heather Mine
10:05:19 AM Brian Grossberndt (waives in support)
10:05:30 AM Robert L Smith Jr. (waives in support)
10:05:37 AM Deborah Gabriel (waives in support)
10:05:42 AM Gregg Jones (waives in support)
10:05:47 AM Barbara DeVane (waives in opposition)
10:05:52 AM Alexis Laroe, Step Up for Students (waives in support)
10:05:59 AM Michael Barrett, Florida Conference of Catholic Bishops (waives in support)
10:06:03 AM David Struhs, Foundation for Florida's Future (waives in support)
10:06:08 AM David Steinberg (waives in support)
10:06:14 AM Tony Plowden (waives in opposition)
10:06:19 AM JuDian Guimbellot (waives in support)
10:06:28 AM Judey Kratz (waives in support)
10:06:32 AM Anaruth Solache (waives in opposition)
10:06:38 AM Ethan Merchant, National Coalition for Public School Options (waives in support)
10:06:44 AM Tiffany Barfield, Yes. Every Kid (waives in support)
10:06:49 AM Denise Lasher, American Federation for Children (waives in support)
10:06:53 AM Jean Federico
10:08:26 AM Carol Cleaver, Florida Education Association
10:09:34 AM Kimberly Garman, Florida Education Association
10:11:01 AM Lateresa Jones
10:12:24 AM Cathy Boehme, Florida Education Association
10:13:32 AM Rick Stevens
10:13:35 AM Samuel Reddick
10:15:11 AM Carl S Vollmer (waives in support)
10:15:23 AM William Mattox
10:16:53 AM Adianis Morales (waives in support)
10:16:58 AM Rebeka Joseph, Step Up for Students
10:18:04 AM Scott Mazur
10:19:39 AM Lance Ball, Step Up for Students
10:20:46 AM David Norona
10:21:57 AM Holly Bullard, Florida Policy Institute
10:23:08 AM Skylar Zander, Americans for Prosperity
10:24:30 AM Sheila Brannon, Americans for Prosperity (waives in support)
10:24:32 AM Cheryl Chappleau, Americans for Prosperity (waives in support)
10:24:38 AM Lenise Joseph, Americans for Prosperity (waives in support)
10:24:40 AM Mariana Reyes, Americans for Prosperity (waives in support)
10:24:45 AM Deanna L Ortner, Americans for Prosperity (waives in support)
10:24:50 AM Rebecca Kelly (waives in support)
10:24:54 AM Kimberly Boobyer (waives in support)
10:25:00 AM Raisa Sequeira, UnidosUS (waives in opposition)
10:25:09 AM Melinda Stanwood (waives in opposition)
10:25:16 AM Debbie Mortham, The Optima Foundation (waives in support)
10:25:18 AM Thomas Stuart-Tilley
10:26:44 AM Tina Certain
10:28:33 AM Mary Rivera (waives in opposition)
10:28:40 AM Brian Dempsey (waives in opposition)
10:28:43 AM Karema Dudley (waives in opposition)
10:28:47 AM Chris Stranburg, Americans for Prosperity
10:29:43 AM Linda Edson (waives in opposition)
10:30:09 AM Sen. Broxson
10:31:00 AM S 202 (cont.)
10:31:07 AM Sen. Polsky

10:34:59 AM Sen. Baxley
10:37:39 AM Sen. Burgess
10:38:54 AM Sen. Grall
10:40:54 AM Sen. Book
10:44:14 AM Sen. Davis
10:51:15 AM Sen. Pizzo
10:55:32 AM Sen. Powell
11:00:28 AM Sen. Perry
11:05:05 AM Sen. Broxson
11:05:09 AM Cathy Johnson
11:05:11 AM Saul Speights
11:05:23 AM Yenisbel Vilorio, State Innovation Exchange Action (waives in opposition)
11:05:33 AM Sen. Simon
11:12:18 AM Sen. Pizzo
11:12:38 AM S 242
11:13:29 AM Sen. Garcia
11:15:05 AM Sen. Pizzo
11:15:12 AM Greg Black, Florida Nonprofit Alliance (waives in support)
11:15:23 AM Sen. Davis
11:16:03 AM Sen. Garcia
11:16:07 AM Sen. Davis
11:16:10 AM Sen. Garcia
11:16:23 AM Sen. Davis
11:16:59 AM Sen. Garcia
11:17:46 AM Sen. Broxson
11:17:50 AM Sen. Garcia
11:17:54 AM Sen. Broxson